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: March 9, 2012

RE: Liberty Landfill, Inc. / 181-31031-00035

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

IDEM

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Mr. Matthew Rechtin, P.E.
Liberty Landfill, Inc.
8635 East State Road 16
Monticello, Indiana 47960

March 9, 2012

RE: 181-31031-00035
Significant Source Modification to
Part 70 Operating Permit No.:
T 181-29266-00035

Dear Mr. Rechtin:

Liberty Landfill, Inc. was issued Part 70 Operating Permit Renewal T181-29266-00035 on November 30, 2010 for a stationary municipal solid waste landfill. An application to modify the source was received on October 14, 2011. Pursuant to IAC 2-7-10.5, the following emission units are approved for construction at the source:

Emission Unit Description:

(a) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

The following construction conditions are applicable to the proposed project:

General Construction Conditions

(1) The data and information supplied with the application shall be considered part of this source modification approval. Prior to any proposed change in construction which may affect the potential to emit (PTE) of the proposed project, the change must be approved by the Office of Air Quality (OAQ).

(2) This approval 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.

(3) Effective Date of the Permit
Pursuant to IC 13-15-5-3, this approval becomes effective upon its issuance.

(4) Pursuant to 326 IAC 2-1.1-9 and 326 IAC 2-7-10.5(i), the Commissioner may revoke this approval if construction is not commenced within eighteen (18) months after receipt of this approval or if construction is suspended for a continuous period eighteen (18) months or more.

(5) All requirements and conditions of this construction approval shall remain in effect unless modified in a manner consistent with procedures established pursuant to 326 IAC 2.

(6) Pursuant to 326 IAC 2-7-10.5(l), the emission units constructed under this proposal shall not be placed into operation prior to revision of the source's Part 70 Operating Permit to incorporate the required operation conditions.

This significant source modification authorizes construction of the new emission units. Operating conditions shall be incorporated into the Part 70 operating permit as a significant permit modification in accordance with 326 IAC 2-7-10.5(l)(2) and 326 IAC 2-7-12. Operation is not approved until the significant permit modification has been issued.

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 David J. Matousek, OAQ, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for David J. Matousek or extension (2-8253), or dial (317) 232-8253.

Sincerely,

Tripurari Sinha

Tripurari P. Sinha, Ph. D., Section Chief
Permits Branch
Office of Air Quality

Attachments:

DJM

cc: File - White County
White County Health Department
U.S. EPA, Region V
Air Compliance and Enforcement Branch

IDEM

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Significant Source Modification to a Part 70 Operating Permit Renewal OFFICE OF AIR QUALITY

Liberty Landfill, Inc.
8635 East State Route 16
Monticello, Indiana 47960

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

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 2-7 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 for new equipment and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-7-10.5, applicable to those conditions.

Significant Source Modification No. 181-31031-00035	
Issued by: Tripurari Sinha Tripurari P. Sinha, Ph. D., Section Chief Permits Branch Office of Air Quality	Issuance Date: March 9, 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 through A.3 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 2-7-4(c)][326 IAC 2-7-5(14)][326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary stationary municipal solid waste landfill.

Source Address:	8635 East State Route 16, Monticello, Indiana 47960
General Source Phone Number:	317-745-2878
SIC Code:	4953, 4911
County Location:	White
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source, under PSD 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 2-7-4(c)(3)][326 IAC 2-7-5(14)]

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

(a) One (1) solid waste disposal facility, as defined in 40 CFR 60.751, constructed in 1982, modified in 1993, and 2009, with a maximum design capacity of 35.35 million cubic yards (24.05 million megagrams). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]

(b) One (1) gas collection system (GCS) designed and having a capacity in accordance with the applicable provisions of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA.

(c) Four (4) 1,148 horsepower (8.9 MMBtu/hr) engines, identified as EG1 through EG4, constructed in 2005, using treated landfill gas as a fuel, each with a landfill gas input rate of 326 scfm of landfill gas, and exhausting through stacks ES1 through ES4, respectively. Each engine is equipped with a crankcase for engine oil, which consumes a maximum of 20 gallons of engine oil per month and exhausts through a crankcase breather vent. (The crankcase breather vent is an insignificant activity.) [40 CFR 63, Subpart ZZZZ]

(d) Four (4) 1,148 horsepower (8.9 MMBtu/hr) engines, identified as EG5 through EG8, constructed in 2009, using treated landfill gas as a fuel, each with a landfill gas input rate of 326 scfm of landfill gas, and exhausting through stacks ES5 through EG8, respectively. Each engine is equipped with a crankcase for engine oil, which consumes a maximum of 20 gallons of engine oil per month and exhausts through a crankcase breather vent. (The crankcase breather vent is an insignificant activity.) [40 CFR 60, Subpart JJJJ][40 CFR 63, Subpart ZZZZ]

(e) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

(f) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. This flare does not have a bypass. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

A.3 Specifically Regulated Insignificant Activities
[326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]

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

(a) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6, consisting of one (1) parts washing station, constructed in 2004, with a maximum capacity of 20 gallons. [326 IAC 8-3-2] [326 IAC 8-3-5]

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

A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

(a) It is a major source, as defined in 326 IAC 2-7-1(22);

(b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-7-1]

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 Permit Term [326 IAC 2-7-5(2)][326 IAC 2-1.1-9.5][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

(a) This permit, T181-29266-00035, 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, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.

B.3 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.4 Enforceability [326 IAC 2-7-7] [IC 13-17-12]

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.5 Severability [326 IAC 2-7-5(5)]

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.6 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(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.8 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

(a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:

(1) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(34), and

(2) the certification states that, 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) A "responsible official" is defined at 326 IAC 2-7-1(34).

B.9 Annual Compliance Certification [326 IAC 2-7-6(5)]

(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. All 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

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

(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 2-7-5(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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(12)] [326 IAC 1-6-3]

(a) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:

(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.

The Permittee shall implement the PMPs.

(b) If required by specific condition(s) in Section D of this permit where no PMP was previously required, 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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

The Permittee shall implement the PMPs.

(c) 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. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

(d) 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.11 Emergency Provisions [326 IAC 2-7-16]

(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.

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a 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 Office of Air Quality, 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 2-7-5(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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

(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 2-7-4(c)(8) 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 2-7 and any other applicable rules.

(g) 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.

B.12 Permit Shield [326 IAC 2-7-15][326 IAC 2-7-20][326 IAC 2-7-12]

(a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced 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 Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.

This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.

(b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.

(c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.

(d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:

(1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;

(2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;

(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and

(4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.

(e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).

(f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, has issued the modifications. [326 IAC 2-7-12(c)(7)]

(g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

(a) All terms and conditions of permits established prior to T181-29266-00035 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised under 326 IAC 2-7-10.5, or

(3) deleted under 326 IAC 2-7-10.5.

(b) Provided that all terms and conditions are accurately reflected in this permit, all previous registrations and permits are superseded by this Part 70 operating permit.

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

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 2-7-3 and 326 IAC 2-7-4(a).

B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)][326 IAC 2-7-8(a)][326 IAC 2-7-9]

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 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 2-7-5(6)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

(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 2-7-9(a)(3)]

(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 2-7-9(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-7-9(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 2-7-9(c)]

B.16 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

(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 2-7-4. 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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 2-7 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 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]

(a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

(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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.18 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)][326 IAC 2-7-12(b)(2)]

(a) No Part 70 permit revision or notice shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

(b) Notwithstanding 326 IAC 2-7-12(b)(1) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.19 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b) or (c) 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 preconstruction approval required by 326 IAC 2-7-10.5 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 2-7-20(b) or (c). 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 2-7-20(b)(1) and (c)(1).

(b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

(1) A brief description of the change within the source;

(2) The date on which the change will occur;

(3) Any change in emissions; and

(4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

(c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at 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 2-7-20(c).

(d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
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 2-7-5(9). No prior notification of IDEM, OAQ, or U.S. EPA is required.

(e) 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.20 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.21 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

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 Part 70 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 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 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 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.22 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

(a) The Permittee must comply with the requirements of 326 IAC 2-7-11 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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.23 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

(a) The Permittee shall pay annual fees to IDEM, OAQ within 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) Except as provided in 326 IAC 2-7-19(e), 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.24 Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][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 2-7-5(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 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.3 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.4 Incineration [326 IAC 4-2] [326 IAC 9-1-2]

The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

C.5 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). 326 IAC 6-4-2(4) is not federally enforceable.

C.6 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 that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

(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. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

Testing Requirements [326 IAC 2-7-6(1)]

C.7 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

(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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

(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.8 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 2-7-5(1)][326 IAC 2-7-6(1)]

C.9 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(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 of 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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

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

C.10 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(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 instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

Corrective Actions and Response Steps [326 IAC 2-7-5][326 IAC 2-7-6]

C.11 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

(a) The Permittee shall maintain the most recently submitted written emergency reduction plans (ERPs) consistent with safe operating procedures.

(b) Upon direct notification by IDEM, OAQ that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.12 Risk Management Plan [326 IAC 2-7-5(11)] [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.13 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

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; and/or

(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 the reasonable response steps taken.

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5][326 IAC 2-7-6]

(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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

In accordance with the compliance schedule specified in 326 IAC 2-6-3(b)(1), starting in 2004 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

(1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);

(2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Quality
100 North Senate Avenue
MC 61-50 IGCN 1003
Indianapolis, Indiana 46204-2251

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34).

C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6] [326 IAC 2-2][326 IAC 2-3]

(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. Support information includes the following:

(AA) All calibration and maintenance records.
(BB) All original strip chart recordings for continuous monitoring instrumentation.
(CC) Copies of all reports required by the Part 70 permit.

Records of required monitoring information include the following:

(AA) The date, place, as defined in this permit, and time of sampling or measurements.
(BB) The dates analyses were performed.
(CC) The company or entity that performed the analyses.
(DD) The analytical techniques or methods used.
(EE) The results of such analyses.
(FF) The operating conditions as existing at the time of sampling or measurement.

(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) If there is a reasonable possibility (as defined in 326 IAC 2-2-8(b)(6)(A), 326 IAC 2-2-8(b)(6)(B), 326 IAC 2-3-2(l)(6)(A), and/or 326 IAC 2-3-2(l)(6)(B)) that a “project” (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(dd) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(pp) and/or 326 IAC 2-3-1(kk)), the Permittee shall comply with following:

(1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, document and maintain the following records:

(A) A description of the project.

(B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.

(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:

(i) Baseline actual emissions;

(ii) Projected actual emissions;

(iii) Amount of emissions excluded under section 326 IAC 2-2-1(pp)(2)(A)(iii) and/or 326 IAC 2-3-1 (kk)(2)(A)(iii); and

(iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

(d) If there is a reasonable possibility (as defined in 326 IAC 2-2-8(b)(6)(A) and/or 326 IAC 2-3-2(l)(6)(A)) that a "project" (as defined in 326 IAC 2-2-1(oo) and/or 326 IAC 2-3-1(jj)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(dd) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(pp) and/or 326 IAC 2-3-1(kk)), the Permittee shall comply with following:

(1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and

(2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11] [326 IAC 2-2][326 IAC 2-3]

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Proper notice submittal under Section B – Emergency Provisions satisfies the reporting requirements of this paragraph. 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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34). 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) 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.

(e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (oo) and/or 326 IAC 2-3-1 (jj)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C - General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (ww) and/or 326 IAC 2-3-1 (pp), for that regulated NSR pollutant, and

(2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).

(f) The report for project at an existing emissions unit shall be submitted no later than sixty (60) days after the end of the year and contain the following:

(1) The name, address, and telephone number of the major stationary source.

(2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.

(3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).

(4) Any other information that the Permittee wishes to include in this report such as an explanation as to why the emissions differ from the preconstruction projection.

Reports required in this part 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

(g) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

Stratospheric Ozone Protection

C.18 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 applicable standards for recycling and emissions reduction.

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

(a) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass.
[40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

(b) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. This flare does not have a bypass. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

Insignificant Activities

(c) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6, consisting of one (1) parts washing station, constructed in 2009, with a maximum capacity of 20 gallons. [326 IAC 8-3-2] [326 IAC 8-3-5]

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

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.1.1 Cold Cleaner (Degreaser) Operations [326 IAC 8-3-2]

Pursuant to 326 IAC 8-3-2 (Cold Cleaner Operations), the Permittee shall:

(a) equip the cleaner with a cover;

(b) equip the cleaner with a facility for draining cleaned parts;

(c) close the degreaser cover whenever parts are not being handled in the cleaner;

(d) drain cleaned parts for at least fifteen (15) seconds or until dripping ceases;

(e) provide a permanent, conspicuous label summarizing the operation requirements;

(f) store waste solvent only in covered containers and not dispose of waste solvent or transfer it to another party, in such a manner that greater than twenty percent (20%) of the waste solvent (by weight) can evaporate into the atmosphere.

D.1.2 Cold Cleaner (Degreaser) Operations [326 IAC 8-3-5]

(a) Pursuant to 326 IAC 8-3-5(a) (Cold Cleaner Degreaser Operation and Control), the Permittee shall ensure that the following control equipment requirements are met:

(1) Equip the degreaser with a cover. The cover must be designed so that it can be easily operated with one (1) hand if:

(A) the solvent volatility is greater than two (2) kiloPascals (fifteen (15) millimeters of mercury or three-tenths (0.3) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F));

(B) the solvent is agitated; or

(C) the solvent is heated.

(2) Equip the degreaser with a facility for draining cleaned articles. If the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury) or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), then the drainage facility must be internal such that articles are enclosed under the cover while draining. The drainage facility may be external for applications where an internal type cannot fit into the cleaning system.

(3) Provide a permanent, conspicuous label which lists the operating requirements outlined in subsection (b).

(4) The solvent spray, if used, must be a solid, fluid stream and shall be applied at a pressure which does not cause excessive splashing.

(5) Equip the degreaser with one (1) of the following control devices if the solvent volatility is greater than four and three-tenths (4.3) kiloPascals (thirty-two (32) millimeters of mercury) or six-tenths (0.6) pounds per square inch) measured at thirty-eight degrees Celsius (38°C) (one hundred degrees Fahrenheit (100°F)), or if the solvent is heated to a temperature greater than forty-eight and nine-tenths degrees Celsius (48.9^{o}C) (one hundred twenty degrees Fahrenheit (120°F)):

(A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.

(B) A water cover when solvent is used is insoluble in, and heavier than, water.

(C) Other systems of demonstrated equivalent control such as a refrigerated chiller or carbon adsorption. Such systems shall be submitted to the U.S. EPA as a SIP revision.

(b) Pursuant to 326 IAC 8-3-5(b) (Cold Cleaner Degreaser Operation and Control), the Permittee of a cold cleaning facility shall ensure that the following operating requirements are met:

(1) Close the cover whenever articles are not being handled in the degreaser.

(2) Drain cleaned articles for at least fifteen (15) seconds or until dripping ceases.

(3) Store waste solvent only in covered containers and prohibit the disposal or transfer of waste solvent in any manner in which greater than twenty percent (20%) of the waste solvent by weight could evaporate.

D.1.3 Prevention of Significant Deterioration (PSD) Minor Limit [326 IAC 2-2]

In order to render the requirements of 326 IAC 2-2 not applicable to significant source modification 181-31031-00035, the Permittee shall:

(1) remove landfill flare FL2 from service prior to placing landfill flare FL3 in permanent continuous operation. This does not prohibit startup testing of the newly installed flare.

(2) remove landfill flare FL2 from the source within 180 days of startup of landfill flare FL3.

Removal of the existing flare, identified as FL2, is required to ensure the increase in CO emissions for the flare replacement project are less than 100 tons per year and will render the requirements of 326 IAC 2-2 not applicable to significant source modification 181-31031-00035.

SECTION E.1 New Source Performance Standards (NSPS) [40 CFR Part 60] [326 IAC 12]

Emissions Unit Description [326 IAC 2-7-5(15)]:

(a) One (1) solid waste disposal facility, as defined in 40 CFR 60.751, constructed in 1982, modified in 1993, and 2009, with a maximum design capacity of 35.35 million cubic yards (24.05 million megagrams). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]

(b) One (1) gas collection system (GCS) designed and having a capacity in accordance with the applicable provisions of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA.

(c) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass. [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]

(d) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. This flare does not have a bypass. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

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 2-7-5(1)]

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

The provisions of 40 CFR 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the municipal solid waste sanitary landfill, the gas collection system (GCS), and the open flare except when otherwise specified in 40 CFR 60, Subpart WWW.

E.1.2 Standards of Performance for Municipal Solid Waste Landfills (NSPS) [326 IAC 12] [40 CFR 60, Subpart WWW]

Pursuant to 40 CFR 60 Subpart WWW, the Permittee shall comply with the provisions of 40 CFR 60 Subpart WWW, included as Attachment A which are incorporated as 326 IAC 12-1 for the municipal solid waste sanitary landfill, the gas collection system (GCS), and the open flare as specified as follows:

(1) 40 CFR 60.750;
(2) 40 CFR 60.751;
(3) 40 CFR 60.752;
(4) 40 CFR 60.753;
(5) 40 CFR 60.754;
(6) 40 CFR 60.755;
(7) 40 CFR 60.756;
(8) 40 CFR 60.757;
(9) 40 CFR 60.758; and
(10) 40 CFR 60.759.

E.1.3 Operational Standards for Collection and Control Systems [40 CFR 60.753][326 IAC 12]

In order to comply with 40 CFR 60.752(b)(2)(ii), the Permittee shall:

(a) Operate the collection system such that gas is collected from each area, cell, or group of cells in the municipal solid waste landfill in which solid waste has been in place for five years, if active, or two (2) years or more if closed or at final grade.

(b) Operate the collection system with negative pressure at each wellhead except under the following conditions:

(1) Fire or increased well temperature. The Permittee shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 40 CFR 60.757(f)(1).

(2) Use of a geomembrane or synthetic cover. The Permittee shall develop acceptable pressure limits in the design plan.

(3) A decommissioned well. A well may experience a static positive pressure after shutdown to accommodate for declining flows. All design changes shall be approved by the Office of Air Quality (OAQ).

(c) Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 °C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent, except as indicated below:

(1) A landfill gas temperature less than 63 °C (145 °F) for well #67R.

The Permittee may establish a higher operating temperature, nitrogen or oxygen value at other particular wells. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

(1) The nitrogen level shall be determined using Method 3C, unless an alternative method is established as allowed by 40 CFR 60.752(b)(2)(i).

(2) Unless an alternative test method is established as allowed by 40 CFR 60.752(b)(2)(i), the oxygen shall be determined by an oxygen meter using Method 3A except that; the span shall be set so that the regulatory limit is between 20 and 50 percent of the span; a data recorder is not required; only two calibration gases are required, a zero and span, and ambient air may be used as the span; a calibration error check is not required; the allowable sample bias, zero drift, and calibration drift are +/- 10 percent.

(d) Operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the Permittee shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The Permittee may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

(e) Operate the system such that all collected gases are vented to a control system designed and operated in compliance with 40 CFR 60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour.

(f) Operate the control system at all times when the collected gas is routed to the system.

(g) If monitoring demonstrates that the operational requirements in 40 CFR 60.753(b), (c), or (d) are not met, corrective action shall be taken as specified in 40 CFR 60.755(a)(3) through (5) or 40 CFR 60.755(c). If corrective actions are taken as specified in 40 CFR 60.755, the monitored exceedance is not a violation of the operational requirements in 40 CFR 60.753.

SECTION E.2 New Source Performance Standards (NSPS) [40 CFR Part 60] [326 IAC 12]

Emissions Unit Description [326 IAC 2-7-5(14)]:

(d) Four (4) 1,148 horsepower (8.9 MMBtu/hr) engines, identified as EG5 through EG8, constructed in 2009, using treated landfill gas as a fuel, each with a landfill gas input rate of 326 scfm of landfill gas, and exhausting through stacks ES5 through EG8, respectively. Each engine is equipped with a crankcase for engine oil, which consumes a maximum of 20 gallons of engine oil per month and exhausts through a crankcase breather vent. (The crankcase breather vent is an insignificant activity.) [40 CFR 60, Subpart JJJJ] [40 CFR 63, Subpart ZZZZ]

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 2-7-5(1)]

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

The provisions of 40 CFR 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the four engines, identified as EG5 through EG8 except when otherwise specified in 40 CFR 60, Subpart JJJJ.

E.2.2 Standards of Performance for Municipal Solid Waste Landfills (NSPS) [326 IAC 12] [40 CFR 60, Subpart JJJJ]

Pursuant to 40 CFR 60 Subpart JJJJ, the Permittee shall comply with the provisions of 40 CFR 60 Subpart JJJJ, included as Attachment B which are incorporated as 326 IAC 12-1 for the four engines, identified as EG5 through EG8, as specified as follows:

(1) 40 CFR 60.4230(a)(4)(i);
(2) 40 CFR 60.4230(e);
(3) 40 CFR 60.4233(e);
(4) 40 CFR 60.4234;
(5) 40 CFR 60.4243(b);
(6) 40 CFR 60.4244;
(7) 40 CFR 60.4245(a),(b), & (c);
(8) 40 CFR 60.4248; and
(9) Tables 1, 2 and 3 of 40 CFR 60, Subpart JJJJ.

SECTION E.3 National Emission Standards for Hazardous Air Pollutants: (NESHAP) [40 CFR Part 61] [326 IAC 14]

Emissions Unit Description [326 IAC 2-7-5(14)]:

(a) One (1) solid waste disposal facility, as defined in 40 CFR 60.751, constructed in 1982, modified in 1993, and 2009, with a maximum design capacity of 35.35 million cubic yards (24.05 million megagrams). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]

(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 2-7-5(1)]

E.3.1 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants under 40 CFR Part 61 [326 IAC 14-1] [40 CFR Part 61, Subpart A]

The provisions of 40 CFR Part 61, Subpart A - General Provisions, which are incorporated as 326 IAC 14-1-1, apply to asbestos except when otherwise specified in 40 CFR Part 61, Subpart M.

E.3.2 National Emission Standards for Asbestos [40 CFR Part 61, Subpart M] [326 IAC 14-2-1]

The Permittee shall comply with the following provisions of the National Emission Standards for Asbestos, included as Attachment C of this permit, which are incorporated by reference as 326 IAC 14-2-1 for asbestos-containing waste material:

1. 40 CFR 61.140;
2. 40 CFR 61.141;
3. 40 CFR 61.153;
4. 40 CFR 61.154;
5. 40 CFR 61.156; and
6. 40 CFR 61.157.

SECTION E.4 National Emission Standards for Hazardous Air Pollutants: (NESHAP) [40 CFR Part 63] [326 IAC 20-67]

Emissions Unit Description [326 IAC 2-7-5(15)]:

(a) One (1) solid waste disposal facility, as defined in 40 CFR 60.751, constructed in 1982, modified in 1993, and 2009, with a maximum design capacity of 35.35 million cubic yards (24.05 million megagrams). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]

(b) One (1) gas collection system (GCS) designed and having a capacity in accordance with the applicable provisions of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA

(c) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass.
[40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

(d) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. This flare does not have a bypass. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

(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 2-7-5(1)]

E.4.1 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants (NESHAP) [40 CFR 63, Subpart A] [326 IAC 20-67]

The provisions of 40 CFR 63, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 20-1-1, apply to the municipal solid waste landfill except when otherwise specified in 40 CFR 63, Subpart AAAA.

E.4.2 National Emission Standards for Hazardous Air Pollutants (NESHAP) [40 CFR 63, Subpart AAAA] [326 IAC 20]

Pursuant to 40 CFR 63 Subpart AAAA, the Permittee shall comply with the provisions of 40 CFR 63 Subpart AAAA, Attachment D which are incorporated as 326 IAC 20-1-1 for the municipal solid waste landfill, as specified as follows:

(1) 40 CFR 63.1930;
(2) 40 CFR 63.1935;
(3) 40 CFR 63.1940;
(4) 40 CFR 63.1945;
(5) 40 CFR 63.1950;
(6) 40 CFR 63.1955;
(7) 40 CFR 63.1960;
(8) 40 CFR 63.1965;
(9) 40 CFR 63.1975;
(10) 40 CFR 63.1980;
(11) 40 CFR 63.1985;
(12) 40 CFR 63.1990; and
(13) Table 1 to Subpart AAAA of Part 63.

SECTION E.5 National Emission Standards for Hazardous Air Pollutants: (NESHAP) [40 CFR Part 63] [326 IAC 20-82]

Emissions Unit Description [326 IAC 2-7-5(14)]:

(c) Four (4) 1,148 horsepower (8.9 MMBtu/hr) engines, identified as EG1 through EG4, constructed in 2005, using treated landfill gas as a fuel, each with a landfill gas input rate of 326 scfm of landfill gas, and exhausting through stacks ES1 through ES4, respectively. Each engine is equipped with a crankcase for engine oil, which consumes a maximum of 20 gallons of engine oil per month and exhausts through a crankcase breather vent. (The crankcase breather vent is an insignificant activity.) [40 CFR 63, Subpart ZZZZ]

(d) Four (4) 1,148 horsepower (8.9 MMBtu/hr) engines, identified as EG5 through EG8, constructed in 2009, using treated landfill gas as a fuel, each with a landfill gas input rate of 326 scfm of landfill gas, and exhausting through stacks ES5 through EG8, respectively. Each engine is equipped with a crankcase for engine oil, which consumes a maximum of 20 gallons of engine oil per month and exhausts through a crankcase breather vent. (The crankcase breather vent is an insignificant activity.) [40 CFR 60, Subpart JJJJ] [40 CFR 63, Subpart ZZZZ]

(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 2-7-5(1)]

E.5.1 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants (NESHAP) [40 CFR 63, Subpart A] [326 IAC 20-82]

The provisions of 40 CFR 63, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 20-1-1, apply to the eight engines, identified as EG1 through EG8 except when otherwise specified in 40 CFR 63, Subpart ZZZZ.

E.5.2 National Emission Standards for Hazardous Air Pollutants (NESHAP) [40 CFR 63, Subpart ZZZZ] [326 IAC 20-82]

Pursuant to 40 CFR 63 Subpart ZZZZ, the Permittee shall comply with the provisions of 40 CFR 63 Subpart ZZZZ, Attachment E which are incorporated as 326 IAC 20-1-1 for the eight engines, identified as EG1 through EG8 as specified as follows:

The four (4) 1,148 horsepower (8.9 MMBtu/hr) engines, identified as EG1 through EG4 (constructed in 2005) are subject to the following portions of Subpart ZZZZ:

(1) 40 CFR 63.6580;
(2) 40 CFR 63.6585(a) & (c) & (d);
(3) 40 CFR 63.6590(a)(1)(iii);
(4) 40 CFR 63.6590(b)(3);
(5) 40 CFR 63.6670; and
(6) 40 CFR 63.6675.

The four (4) 1,148 horsepower (8.9 MMBtu/hr) engines, identified as EG5 through EG8 (constructed in 2009) are subject to the following portions of Subpart ZZZZ:

(1) 40 CFR 63.6580;
(2) 40 CFR 63.6585(a) & (c) & (d);
(3) 40 CFR 63.6590(a)(2)(iii);
(4) 40 CFR 63.6590(c);
(1) 40 CFR 63.6670; and
(2) 40 CFR 63.6675.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
CERTIFICATION

Source Name: Liberty Landfill, Inc.
Source Address: 8635 East State Route 16, Monticello, Indiana 47960
Part 70 Permit No.: T181-29266-00035

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:
Phone:
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

PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT

Source Name: Liberty Landfill, Inc.
Source Address: 8635 East State Route 16, Monticello, Indiana 47960
Part 70 Permit No.: T181-29266-00035

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 Section); 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
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: _____

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: Liberty Landfill, Inc.
Source Address: 8635 East State Route 16, Monticello, Indiana 47960
Part 70 Permit No.: T181-29266-00035

Months: _____ to _____ Year: _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Proper notice submittal under Section B – Emergency Provisions satisfies the reporting requirements of this paragraph. 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: _____

Indiana Department of Environmental Management
Office of Air Quality
Attachment A

Source Description and Location

Source Name:	Liberty Landfill, Inc.
Source Location:	8635 East SR 16, Monticello, Indiana 47960
County:	White County
SIC Code:	4953
Operation Permit No.:	T 181-29266-00035
Operation Permit Issuance Date:	November 30, 2010
Permit Reviewer:	Kimberly Malley

Complete Text - 40 CFR 60, Subpart WWW

Subpart WWW—Standards of Performance for Municipal Solid Waste Landfills

Source: 61 FR 9919, Mar. 12, 1996, unless otherwise noted.

§ 60.750 Applicability, designation of affected facility, and delegation of authority.

(a) The provisions of this subpart apply to each municipal solid waste landfill that commenced construction, reconstruction or modification on or after May 30, 1991. Physical or operational changes made to an existing MSW landfill solely to comply with subpart Cc of this part are not considered construction, reconstruction, or modification for the purposes of this section.

(b) The following authorities shall be retained by the Administrator and not transferred to the State: §60.754(a)(5).

(c) Activities required by or conducted pursuant to a CERCLA, RCRA, or State remedial action are not considered construction, reconstruction, or modification for purposes of this subpart.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32750, June 16, 1998]

§ 60.751 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act or in subpart A of this part.

Active collection system means a gas collection system that uses gas mover equipment.

Active landfill means a landfill in which solid waste is being placed or a landfill that is planned to accept waste in the future.

Closed landfill means a landfill in which solid waste is no longer being placed, and in which no additional solid wastes will be placed without first filing a notification of modification as prescribed under §60.7(a)(4). Once a notification of modification has been filed, and additional solid waste is placed in the landfill, the landfill is no longer closed.

Closure means that point in time when a landfill becomes a closed landfill.

Commercial solid waste means all types of solid waste generated by stores, offices, restaurants, warehouses, and other nonmanufacturing activities, excluding residential and industrial wastes.

Controlled landfill means any landfill at which collection and control systems are required under this subpart as a result of the nonmethane organic compounds emission rate. The landfill is considered controlled at the time a collection and control system design plan is submitted in compliance with §60.752(b)(2)(i).

Design capacity means the maximum amount of solid waste a landfill can accept, as indicated in terms of volume or mass in the most recent permit issued by the State, local, or Tribal agency responsible for regulating the landfill, plus any in-place waste not accounted for in the most recent permit. If the owner or operator chooses to convert the design capacity from volume to mass or from mass to volume to demonstrate its design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, the calculation must include a site specific density, which must be recalculated annually.

Disposal facility means all contiguous land and structures, other appurtenances, and improvements on the land used for the disposal of solid waste.

Emission rate cutoff means the threshold annual emission rate to which a landfill compares its estimated emission rate to determine if control under the regulation is required.

Enclosed combustor means an enclosed firebox which maintains a relatively constant limited peak temperature generally using a limited supply of combustion air. An enclosed flare is considered an enclosed combustor.

Flare means an open combustor without enclosure or shroud.

Gas mover equipment means the equipment (i.e., fan, blower, compressor) used to transport landfill gas through the header system.

Household waste means any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including, but not limited to, single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).

Industrial solid waste means solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under Subtitle C of the Resource Conservation and Recovery Act, parts 264 and 265 of this title. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products/by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include mining waste or oil and gas waste.

Interior well means any well or similar collection component located inside the perimeter of the landfill waste. A perimeter well located outside the landfilled waste is not an interior well.

Landfill means an area of land or an excavation in which wastes are placed for permanent disposal, and that is not a land application unit, surface impoundment, injection well, or waste pile as those terms are defined under §257.2 of this title.

Lateral expansion means a horizontal expansion of the waste boundaries of an existing MSW landfill. A lateral expansion is not a modification unless it results in an increase in the design capacity of the landfill.

Modification means an increase in the permitted volume design capacity of the landfill by either horizontal or vertical expansion based on its permitted design capacity as of May 30, 1991. Modification does not occur until the owner or operator commences construction on the horizontal or vertical expansion.

Municipal solid waste landfill or *MSW landfill* means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. An MSW landfill may also receive other types of RCRA Subtitle D wastes (§257.2 of this title) such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be publicly or privately owned. An MSW landfill may be a new MSW landfill, an existing MSW landfill, or a lateral expansion.

Municipal solid waste landfill emissions or *MSW landfill emissions* means gas generated by the decomposition of organic waste deposited in an MSW landfill or derived from the evolution of organic compounds in the waste.

NMOC means nonmethane organic compounds, as measured according to the provisions of §60.754.

Nondegradable waste means any waste that does not decompose through chemical breakdown or microbiological activity. Examples are, but are not limited to, concrete, municipal waste combustor ash, and metals.

Passive collection system means a gas collection system that solely uses positive pressure within the landfill to move the gas rather than using gas mover equipment.

Sludge means any solid, semisolid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, exclusive of the treated effluent from a wastewater treatment plant.

Solid waste means any garbage, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under 33 U.S.C. 1342, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C 2011 et seq.).

Sufficient density means any number, spacing, and combination of collection system components, including vertical wells, horizontal collectors, and surface collectors, necessary to maintain emission and migration control as determined by measures of performance set forth in this part.

Sufficient extraction rate means a rate sufficient to maintain a negative pressure at all wellheads in the collection system without causing air infiltration, including any wellheads connected to the system as a result of expansion or excess surface emissions, for the life of the blower.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32750, June 16, 1998; 64 FR 9262, Feb. 24, 1999]

§ 60.752 Standards for air emissions from municipal solid waste landfills.

(a) Each owner or operator of an MSW landfill having a design capacity less than 2.5 million megagrams by mass or 2.5 million cubic meters by volume shall submit an initial design capacity report to the Administrator as provided in §60.757(a). The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exemption values. Any density conversions shall be documented and

submitted with the report. Submittal of the initial design capacity report shall fulfill the requirements of this subpart except as provided for in paragraphs (a)(1) and (a)(2) of this section.

(1) The owner or operator shall submit to the Administrator an amended design capacity report, as provided for in §60.757(a)(3).

(2) When an increase in the maximum design capacity of a landfill exempted from the provisions of §60.752(b) through §60.759 of this subpart on the basis of the design capacity exemption in paragraph (a) of this section results in a revised maximum design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, the owner or operator shall comply with the provision of paragraph (b) of this section.

(b) Each owner or operator of an MSW landfill having a design capacity equal to or greater than 2.5 million megagrams and 2.5 million cubic meters, shall either comply with paragraph (b)(2) of this section or calculate an NMOC emission rate for the landfill using the procedures specified in §60.754. The NMOC emission rate shall be recalculated annually, except as provided in §60.757(b)(1)(ii) of this subpart. The owner or operator of an MSW landfill subject to this subpart with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters is subject to part 70 or 71 permitting requirements.

(1) If the calculated NMOC emission rate is less than 50 megagrams per year, the owner or operator shall:

(i) Submit an annual emission report to the Administrator, except as provided for in §60.757(b)(1)(ii); and

(ii) Recalculate the NMOC emission rate annually using the procedures specified in §60.754(a)(1) until such time as the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, or the landfill is closed.

(A) If the NMOC emission rate, upon recalculation required in paragraph (b)(1)(ii) of this section, is equal to or greater than 50 megagrams per year, the owner or operator shall install a collection and control system in compliance with paragraph (b)(2) of this section.

(B) If the landfill is permanently closed, a closure notification shall be submitted to the Administrator as provided for in §60.757(d).

(2) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, the owner or operator shall:

(i) Submit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year:

(A) The collection and control system as described in the plan shall meet the design requirements of paragraph (b)(2)(ii) of this section.

(B) The collection and control system design plan shall include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions of §§60.753 through 60.758 proposed by the owner or operator.

(C) The collection and control system design plan shall either conform with specifications for active collection systems in §60.759 or include a demonstration to the Administrator's satisfaction of the sufficiency of the alternative provisions to §60.759.

(D) The Administrator shall review the information submitted under paragraphs (b)(2)(i) (A),(B) and (C) of this section and either approve it, disapprove it, or request that additional information be submitted.

Because of the many site-specific factors involved with landfill gas system design, alternative systems may be necessary. A wide variety of system designs are possible, such as vertical wells, combination horizontal and vertical collection systems, or horizontal trenches only, leachate collection components, and passive systems.

(ii) Install a collection and control system that captures the gas generated within the landfill as required by paragraphs (b)(2)(ii)(A) or (B) and (b)(2)(iii) of this section within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the emission rate is less than 50 megagrams per year, as specified in §60.757(c)(1) or (2).

(A) An active collection system shall:

(*1*) Be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment;

(*2*) Collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of:

(*i*) 5 years or more if active; or

(*ii*) 2 years or more if closed or at final grade.

(*3*) Collect gas at a sufficient extraction rate;

(*4*) Be designed to minimize off-site migration of subsurface gas.

(B) A passive collection system shall:

(*1*) Comply with the provisions specified in paragraphs (b)(2)(ii)(A)(*1*), (*2*), and (2)(ii)(A)(*4*) of this section.

(*2*) Be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners shall be installed as required under §258.40.

(iii) Route all the collected gas to a control system that complies with the requirements in either paragraph (b)(2)(iii) (A), (B) or (C) of this section.

(A) An open flare designed and operated in accordance with §60.18 except as noted in §60.754(e);

(B) A control system designed and operated to reduce NMOC by 98 weight-percent, or, when an enclosed combustion device is used for control, to either reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3 percent oxygen. The reduction efficiency or parts per million by volume shall be established by an initial performance test to be completed no later than 180 days after the initial startup of the approved control system using the test methods specified in §60.754(d).

(*1*) If a boiler or process heater is used as the control device, the landfill gas stream shall be introduced into the flame zone.

(*2*) The control device shall be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in §60.756;

(C) Route the collected gas to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of paragraph (b)(2)(iii) (A) or (B) of this section.

(iv) Operate the collection and control device installed to comply with this subpart in accordance with the provisions of §§60.753, 60.755 and 60.756.

(v) The collection and control system may be capped or removed provided that all the conditions of paragraphs (b)(2)(v) (A), (B), and (C) of this section are met:

(A) The landfill shall be a closed landfill as defined in §60.751 of this subpart. A closure report shall be submitted to the Administrator as provided in §60.757(d);

(B) The collection and control system shall have been in operation a minimum of 15 years; and

(C) Following the procedures specified in §60.754(b) of this subpart, the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart.

(c) For purposes of obtaining an operating permit under title V of the Act, the owner or operator of a MSW landfill subject to this subpart with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters is not subject to the requirement to obtain an operating permit for the landfill under part 70 or 71 of this chapter, unless the landfill is otherwise subject to either part 70 or 71. For purposes of submitting a timely application for an operating permit under part 70 or 71, the owner or operator of a MSW landfill subject to this subpart with a design capacity greater than or equal to 2.5 million megagrams and 2.5 million cubic meters, and not otherwise subject to either part 70 or 71, becomes subject to the requirements of §§70.5(a)(1)(i) or 71.5(a)(1)(i) of this chapter, regardless of when the design capacity report is actually submitted, no later than:

(1) June 10, 1996 for MSW landfills that commenced construction, modification, or reconstruction on or after May 30, 1991 but before March 12, 1996;

(2) Ninety days after the date of commenced construction, modification, or reconstruction for MSW landfills that commence construction, modification, or reconstruction on or after March 12, 1996.

(d) When a MSW landfill subject to this subpart is closed, the owner or operator is no longer subject to the requirement to maintain an operating permit under part 70 or 71 of this chapter for the landfill if the landfill is not otherwise subject to the requirements of either part 70 or 71 and if either of the following conditions are met:

(1) The landfill was never subject to the requirement for a control system under paragraph (b)(2) of this section; or

(2) The owner or operator meets the conditions for control system removal specified in paragraph (b)(2)(v) of this section.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32751, June 16, 1998; 65 FR 18908, Apr. 10, 2000; 71 FR 55127, Sept. 21, 2006]

§ 60.753 Operational standards for collection and control systems.

Each owner or operator of an MSW landfill with a gas collection and control system used to comply with the provisions of §60.752(b)(2)(ii) of this subpart shall:

(a) Operate the collection system such that gas is collected from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for:

(1) 5 years or more if active; or

(2) 2 years or more if closed or at final grade;

(b) Operate the collection system with negative pressure at each wellhead except under the following conditions:

(1) A fire or increased well temperature. The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in §60.757(f)(1);

(2) Use of a geomembrane or synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan;

(3) A decommissioned well. A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by the Administrator;

(c) Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 °C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The owner or operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

(1) The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by §60.752(b)(2)(i) of this subpart.

(2) Unless an alternative test method is established as allowed by §60.752(b)(2)(i) of this subpart, the oxygen shall be determined by an oxygen meter using Method 3A or 3C except that:

(i) The span shall be set so that the regulatory limit is between 20 and 50 percent of the span;

(ii) A data recorder is not required;

(iii) Only two calibration gases are required, a zero and span, and ambient air may be used as the span;

(iv) A calibration error check is not required;

(v) The allowable sample bias, zero drift, and calibration drift are ±10 percent.

(d) Operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

(e) Operate the system such that all collected gases are vented to a control system designed and operated in compliance with §60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within 1 hour; and

(f) Operate the control or treatment system at all times when the collected gas is routed to the system.

(g) If monitoring demonstrates that the operational requirements in paragraphs (b), (c), or (d) of this section are not met, corrective action shall be taken as specified in §60.755(a)(3) through (5) or §60.755(c) of this subpart. If corrective actions are taken as specified in §60.755, the monitored exceedance is not a violation of the operational requirements in this section.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32751, June 16, 1998; 65 FR 61778, Oct. 17, 2000]

§ 60.754 Test methods and procedures.

(a)(1) The landfill owner or operator shall calculate the NMOC emission rate using either the equation provided in paragraph (a)(1)(i) of this section or the equation provided in paragraph (a)(1)(ii) of this section. Both equations may be used if the actual year-to-year solid waste acceptance rate is known, as specified in paragraph (a)(1)(i), for part of the life of the landfill and the actual year-to-year solid waste acceptance rate is unknown, as specified in paragraph (a)(1)(ii), for part of the life of the landfill. The values to be used in both equations are 0.05 per year for k, 170 cubic meters per megagram for L_O, and 4,000 parts per million by volume as hexane for the C_{NMOC}. For landfills located in geographical areas with a thirty year annual average precipitation of less than 25 inches, as measured at the nearest representative official meteorologic site, the k value to be used is 0.02 per year.

(i) The following equation shall be used if the actual year-to-year solid waste acceptance rate is known.

$$M_{NMOC} = \sum_{i=1}^{n} 2\ \mathrm{k}\ \mathrm{L}_o M_i \left(e^{-kt_i}\right)\left(C_{NMOC}\right)\left(3.6\times10^{-9}\right)$$

where,

M_{NMOC}=Total NMOC emission rate from the landfill, megagrams per year

k=methane generation rate constant, year^{-1}

L_o=methane generation potential, cubic meters per megagram solid waste

M_i=mass of solid waste in the i^{th}section, megagrams

t_i=age of the i^{th}section, years

C_{NMOC}=concentration of NMOC, parts per million by volume as hexane

3.6×10^{-9}=conversion factor

The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value for $M_i$if documentation of the nature and amount of such wastes is maintained

(ii) The following equation shall be used if the actual year-to-year solid waste acceptance rate is unknown.

$M_{NMOC} = 2L_oR\ (e^{-kc} - e^{-kt})\ C_{NMOC}(3.6 \times 10^{-9})$

Where:

M_{NMOC}=mass emission rate of NMOC, megagrams per year

L_o=methane generation potential, cubic meters per megagram solid waste

R=average annual acceptance rate, megagrams per year

k=methane generation rate constant, $year^{-1}$

t = age of landfill, years

C_{NMOC}=concentration of NMOC, parts per million by volume as hexane

c=time since closure, years; for active landfill c=O and $e^{-kc}1$

3.6×10−9=conversion factor

The mass of nondegradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value of R, if documentation of the nature and amount of such wastes is maintained.

(2) *Tier 1.* The owner or operator shall compare the calculated NMOC mass emission rate to the standard of 50 megagrams per year.

(i) If the NMOC emission rate calculated in paragraph (a)(1) of this section is less than 50 megagrams per year, then the landfill owner shall submit an emission rate report as provided in §60.757(b)(1), and shall recalculate the NMOC mass emission rate annually as required under §60.752(b)(1).

(ii) If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, then the landfill owner shall either comply with §60.752(b)(2), or determine a site-specific NMOC concentration and recalculate the NMOC emission rate using the procedures provided in paragraph (a)(3) of this section.

(3) *Tier 2.* The landfill owner or operator shall determine the NMOC concentration using the following sampling procedure. The landfill owner or operator shall install at least two sample probes per hectare of landfill surface that has retained waste for at least 2 years. If the landfill is larger than 25 hectares in area, only 50 samples are required. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator shall collect and analyze one sample of landfill gas from each probe to determine the NMOC concentration using Method 25 or 25C of appendix A of this part. Method 18 of appendix A of this part may be used to analyze the samples collected by the Method 25 or 25C sampling procedure. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter unless evidence can be provided to substantiate the accuracy of smaller volumes. Terminate compositing before the cylinder approaches ambient pressure where measurement accuracy diminishes. If using Method 18, the owner or operator must identify all compounds in the sample and, as a minimum, test for those compounds published in the most recent Compilation of Air Pollutant Emission Factors (AP–42),

minus carbon monoxide, hydrogen sulfide, and mercury. As a minimum, the instrument must be calibrated for each of the compounds on the list. Convert the concentration of each Method 18 compound to C_{NMOC} as hexane by multiplying by the ratio of its carbon atoms divided by six. If more than the required number of samples are taken, all samples must be used in the analysis. The landfill owner or operator must divide the NMOC concentration from Method 25 or 25C of appendix A of this part by six to convert from C_{NMOC} as carbon to C_{NMOC} as hexane. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe.

(i) The landfill owner or operator shall recalculate the NMOC mass emission rate using the equations provided in paragraph (a)(1)(i) or (a)(1)(ii) of this section and using the average NMOC concentration from the collected samples instead of the default value in the equation provided in paragraph (a)(1) of this section.

(ii) If the resulting mass emission rate calculated using the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, then the landfill owner or operator shall either comply with §60.752(b)(2), or determine the site-specific methane generation rate constant and recalculate the NMOC emission rate using the site-specific methane generation rate using the procedure specified in paragraph (a)(4) of this section.

(iii) If the resulting NMOC mass emission rate is less than 50 megagrams per year, the owner or operator shall submit a periodic estimate of the emission rate report as provided in §60.757(b)(1) and retest the site-specific NMOC concentration every 5 years using the methods specified in this section.

(4) *Tier 3.* The site-specific methane generation rate constant shall be determined using the procedures provided in Method 2E of appendix A of this part. The landfill owner or operator shall estimate the NMOC mass emission rate using equations in paragraph (a)(1)(i) or (a)(1)(ii) of this section and using a site-specific methane generation rate constant k, and the site-specific NMOC concentration as determined in paragraph (a)(3) of this section instead of the default values provided in paragraph (a)(1) of this section. The landfill owner or operator shall compare the resulting NMOC mass emission rate to the standard of 50 megagrams per year.

(i) If the NMOC mass emission rate as calculated using the site-specific methane generation rate and concentration of NMOC is equal to or greater than 50 megagrams per year, the owner or operator shall comply with §60.752(b)(2).

(ii) If the NMOC mass emission rate is less than 50 megagrams per year, then the owner or operator shall submit a periodic emission rate report as provided in §60.757(b)(1) and shall recalculate the NMOC mass emission rate annually, as provided in §60.757(b)(1) using the equations in paragraph (a)(1) of this section and using the site-specific methane generation rate constant and NMOC concentration obtained in paragraph (a)(3) of this section. The calculation of the methane generation rate constant is performed only once, and the value obtained from this test shall be used in all subsequent annual NMOC emission rate calculations.

(5) The owner or operator may use other methods to determine the NMOC concentration or a site-specific k as an alternative to the methods required in paragraphs (a)(3) and (a)(4) of this section if the method has been approved by the Administrator.

(b) After the installation of a collection and control system in compliance with §60.755, the owner or operator shall calculate the NMOC emission rate for purposes of determining when the system can be removed as provided in §60.752(b)(2)(v), using the following equation:

$M_{NMOC} = 1.89 \times 10^{-3} Q_{LFG} C_{NMOC}$

where,

M_{NMOC} = mass emission rate of NMOC, megagrams per year

Q_{LFG} = flow rate of landfill gas, cubic meters per minute

C_{NMOC} = NMOC concentration, parts per million by volume as hexane

(1) The flow rate of landfill gas, Q_{LFG}, shall be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device calibrated according to the provisions of section 4 of Method 2E of appendix A of this part.

(2) The average NMOC concentration, C_{NMOC}, shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of appendix A of this part. If using Method 18 of appendix A of this part, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP–42). The sample location on the common header pipe shall be before any condensate removal or other gas refining units. The landfill owner or operator shall divide the NMOC concentration from Method 25C of appendix A of this part by six to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.

(3) The owner or operator may use another method to determine landfill gas flow rate and NMOC concentration if the method has been approved by the Administrator.

(c) When calculating emissions for PSD purposes, the owner or operator of each MSW landfill subject to the provisions of this subpart shall estimate the NMOC emission rate for comparison to the PSD major source and significance levels in §§51.166 or 52.21 of this chapter using AP–42 or other approved measurement procedures.

(d) For the performance test required in §60.752(b)(2)(iii)(B), Method 25, 25C, or Method 18 of appendix A of this part must be used to determine compliance with the 98 weight-percent efficiency or the 20 ppmv outlet concentration level, unless another method to demonstrate compliance has been approved by the Administrator as provided by §60.752(b)(2)(i)(B). Method 3 or 3A shall be used to determine oxygen for correcting the NMOC concentration as hexane to 3 percent. In cases where the outlet concentration is less than 50 ppm NMOC as carbon (8 ppm NMOC as hexane), Method 25A should be used in place of Method 25. If using Method 18 of appendix A of this part, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP–42). The following equation shall be used to calculate efficiency:

Control Efficiency = $(NMOC_{in} - NMOC_{out})/(NMOC_{in})$

where,

$NMOC_{in}$ = mass of NMOC entering control device

$NMOC_{out}$ = mass of NMOC exiting control device

(e) For the performance test required in §60.752(b)(2)(iii)(A), the net heating value of the combusted landfill gas as determined in §60.18(f)(3) is calculated from the concentration of methane in the landfill gas as measured by Method 3C. A minimum of three 30-minute Method 3C samples are determined. The measurement of other organic components, hydrogen, and carbon monoxide is not applicable. Method 3C

may be used to determine the landfill gas molecular weight for calculating the flare gas exit velocity under §60.18(f)(4).

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32751, June 16, 1998; 65 FR 18908, Apr. 10, 2000; 65 FR 61778, Oct. 17, 2000; 71 FR 55127, Sept. 21, 2006]

§ 60.755 Compliance provisions.

(a) Except as provided in §60.752(b)(2)(i)(B), the specified methods in paragraphs (a)(1) through (a)(6) of this section shall be used to determine whether the gas collection system is in compliance with §60.752(b)(2)(ii).

(1) For the purposes of calculating the maximum expected gas generation flow rate from the landfill to determine compliance with §60.752(b)(2)(ii)(A)(*1*), one of the following equations shall be used. The k and $L_o$kinetic factors should be those published in the most recent Compilation of Air Pollutant Emission Factors (AP–42) or other site specific values demonstrated to be appropriate and approved by the Administrator. If k has been determined as specified in §60.754(a)(4), the value of k determined from the test shall be used. A value of no more than 15 years shall be used for the intended use period of the gas mover equipment. The active life of the landfill is the age of the landfill plus the estimated number of years until closure.

(i) For sites with unknown year-to-year solid waste acceptance rate:

$Q_m = 2L_oR\ (e^{-kc} - e^{-kt})$

where,

Q_m= maximum expected gas generation flow rate, cubic meters per year

L_o= methane generation potential, cubic meters per megagram solid waste

R = average annual acceptance rate, megagrams per year

k = methane generation rate constant, year^{-1}

t = age of the landfill at equipment installation plus the time the owner or operator intends to use the gas mover equipment or active life of the landfill, whichever is less. If the equipment is installed after closure, t is the age of the landfill at installation, years

c = time since closure, years (for an active landfill c = O and e^{-kc}= 1)

(ii) For sites with known year-to-year solid waste acceptance rate:

$$Q_M = \sum_{i=1}^{n} 2\,k\,L_o\,M_i\left(e^{-kt_i}\right)$$

where,

Q_M=maximum expected gas generation flow rate, cubic meters per year

k=methane generation rate constant, year^{-1}

L_o=methane generation potential, cubic meters per megagram solid waste

M_i=mass of solid waste in the i^{th}section, megagrams

t_i=age of the i^{th}section, years

(iii) If a collection and control system has been installed, actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with, the equations in paragraphs (a)(1) (i) and (ii) of this section. If the landfill is still accepting waste, the actual measured flow data will not equal the maximum expected gas generation rate, so calculations using the equations in paragraphs (a)(1) (i) or (ii) or other methods shall be used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment.

(2) For the purposes of determining sufficient density of gas collectors for compliance with §60.752(b)(2)(ii)(A)(*2*), the owner or operator shall design a system of vertical wells, horizontal collectors, or other collection devices, satisfactory to the Administrator, capable of controlling and extracting gas from all portions of the landfill sufficient to meet all operational and performance standards.

(3) For the purpose of demonstrating whether the gas collection system flow rate is sufficient to determine compliance with §60.752(b)(2)(ii)(A)(*3*), the owner or operator shall measure gauge pressure in the gas collection header at each individual well, monthly. If a positive pressure exists, action shall be initiated to correct the exceedance within 5 calendar days, except for the three conditions allowed under §60.753(b). If negative pressure cannot be achieved without excess air infiltration within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial measurement of positive pressure. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Administrator for approval.

(4) Owners or operators are not required to expand the system as required in paragraph (a)(3) of this section during the first 180 days after gas collection system startup.

(5) For the purpose of identifying whether excess air infiltration into the landfill is occurring, the owner or operator shall monitor each well monthly for temperature and nitrogen or oxygen as provided in §60.753(c). If a well exceeds one of these operating parameters, action shall be initiated to correct the exceedance within 5 calendar days. If correction of the exceedance cannot be achieved within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. Any attempted corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Administrator for approval.

(6) An owner or operator seeking to demonstrate compliance with §60.752(b)(2)(ii)(A)(*4*) through the use of a collection system not conforming to the specifications provided in §60.759 shall provide information satisfactory to the Administrator as specified in §60.752(b)(2)(i)(C) demonstrating that off-site migration is being controlled.

(b) For purposes of compliance with §60.753(a), each owner or operator of a controlled landfill shall place each well or design component as specified in the approved design plan as provided in §60.752(b)(2)(i). Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of:

(1) 5 years or more if active; or

(2) 2 years or more if closed or at final grade.

(c) The following procedures shall be used for compliance with the surface methane operational standard as provided in §60.753(d).

(1) After installation of the collection system, the owner or operator shall monitor surface concentrations of methane along the entire perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals (or a site-specific established spacing) for each collection area on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in paragraph (d) of this section.

(2) The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

(3) Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of appendix A of this part, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

(4) Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the actions specified in paragraphs (c)(4) (i) through (v) of this section shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements of §60.753(d).

(i) The location of each monitored exceedance shall be marked and the location recorded.

(ii) Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be re-monitored within 10 calendar days of detecting the exceedance.

(iii) If the re-monitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the re-monitoring shows a third exceedance for the same location, the action specified in paragraph (c)(4)(v) of this section shall be taken, and no further monitoring of that location is required until the action specified in paragraph (c)(4)(v) has been taken.

(iv) Any location that initially showed an exceedance but has a methane concentration less than 500 ppm methane above background at the 10-day re-monitoring specified in paragraph (c)(4) (ii) or (iii) of this section shall be re-monitored 1 month from the initial exceedance. If the 1-month remonitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month remonitoring shows an exceedance, the actions specified in paragraph (c)(4) (iii) or (v) shall be taken.

(v) For any location where monitored methane concentration equals or exceeds 500 parts per million above background three times within a quarterly period, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation may be submitted to the Administrator for approval.

(5) The owner or operator shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

(d) Each owner or operator seeking to comply with the provisions in paragraph (c) of this section shall comply with the following instrumentation specifications and procedures for surface emission monitoring devices:

(1) The portable analyzer shall meet the instrument specifications provided in section 3 of Method 21 of appendix A of this part, except that “methane” shall replace all references to VOC.

(2) The calibration gas shall be methane, diluted to a nominal concentration of 500 parts per million in air.

(3) To meet the performance evaluation requirements in section 3.1.3 of Method 21 of appendix A of this part, the instrument evaluation procedures of section 4.4 of Method 21 of appendix A of this part shall be used.

(4) The calibration procedures provided in section 4.2 of Method 21 of appendix A of this part shall be followed immediately before commencing a surface monitoring survey.

(e) The provisions of this subpart apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32752, June 16, 1998]

§ 60.756 Monitoring of operations.

Except as provided in §60.752(b)(2)(i)(B),

(a) Each owner or operator seeking to comply with §60.752(b)(2)(ii)(A) for an active gas collection system shall install a sampling port and a thermometer, other temperature measuring device, or an access port for temperature measurements at each wellhead and:

(1) Measure the gauge pressure in the gas collection header on a monthly basis as provided in §60.755(a)(3); and

(2) Monitor nitrogen or oxygen concentration in the landfill gas on a monthly basis as provided in §60.755(a)(5); and

(3) Monitor temperature of the landfill gas on a monthly basis as provided in §60.755(a)(5).

(b) Each owner or operator seeking to comply with §60.752(b)(2)(iii) using an enclosed combustor shall calibrate, maintain, and operate according to the manufacturer's specifications, the following equipment.

(1) A temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ±1 percent of the temperature being measured expressed in degrees Celsius or ±0.5 degrees Celsius, whichever is greater. A temperature monitoring device is not required for boilers or process heaters with design heat input capacity equal to or greater than 44 megawatts.

(2) A device that records flow to or bypass of the control device. The owner or operator shall either:

(i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or

(ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

(c) Each owner or operator seeking to comply with §60.752(b)(2)(iii) using an open flare shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:

(1) A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame.

(2) A device that records flow to or bypass of the flare. The owner or operator shall either:

(i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or

(ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

(d) Each owner or operator seeking to demonstrate compliance with §60.752(b)(2)(iii) using a device other than an open flare or an enclosed combustor shall provide information satisfactory to the Administrator as provided in §60.752(b)(2)(i)(B) describing the operation of the control device, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Administrator shall review the information and either approve it, or request that additional information be submitted. The Administrator may specify additional appropriate monitoring procedures.

(e) Each owner or operator seeking to install a collection system that does not meet the specifications in §60.759 or seeking to monitor alternative parameters to those required by §60.753 through §60.756 shall provide information satisfactory to the Administrator as provided in §60.752(b)(2)(i) (B) and (C) describing the design and operation of the collection system, the operating parameters that would indicate proper performance, and appropriate monitoring procedures. The Administrator may specify additional appropriate monitoring procedures.

(f) Each owner or operator seeking to demonstrate compliance with §60.755(c), shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in §60.755(d). Any closed landfill that has no monitored exceedances of the operational standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32752, June 16, 1998; 65 FR 18909, Apr. 10, 2000]

§ 60.757 Reporting requirements.

Except as provided in §60.752(b)(2)(i)(B),

(a) Each owner or operator subject to the requirements of this subpart shall submit an initial design capacity report to the Administrator.

(1) The initial design capacity report shall fulfill the requirements of the notification of the date construction is commenced as required by §60.7(a)(1) and shall be submitted no later than:

(i) June 10, 1996, for landfills that commenced construction, modification, or reconstruction on or after May 30, 1991 but before March 12, 1996 or

(ii) Ninety days after the date of commenced construction, modification, or reconstruction for landfills that commence construction, modification, or reconstruction on or after March 12, 1996.

(2) The initial design capacity report shall contain the following information:

(i) A map or plot of the landfill, providing the size and location of the landfill, and identifying all areas where solid waste may be landfilled according to the permit issued by the State, local, or tribal agency responsible for regulating the landfill.

(ii) The maximum design capacity of the landfill. Where the maximum design capacity is specified in the permit issued by the State, local, or tribal agency responsible for regulating the landfill, a copy of the permit specifying the maximum design capacity may be submitted as part of the report. If the maximum design capacity of the landfill is not specified in the permit, the maximum design capacity shall be calculated using good engineering practices. The calculations shall be provided, along with the relevant parameters as part of the report. The State, Tribal, local agency or Administrator may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill.

(3) An amended design capacity report shall be submitted to the Administrator providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill to or above 2.5 million megagrams and 2.5 million cubic meters. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density as documented in the annual recalculation required in §60.758(f).

(b) Each owner or operator subject to the requirements of this subpart shall submit an NMOC emission rate report to the Administrator initially and annually thereafter, except as provided for in paragraphs (b)(1)(ii) or (b)(3) of this section. The Administrator may request such additional information as may be necessary to verify the reported NMOC emission rate.

(1) The NMOC emission rate report shall contain an annual or 5-year estimate of the NMOC emission rate calculated using the formula and procedures provided in §60.754(a) or (b), as applicable.

(i) The initial NMOC emission rate report may be combined with the initial design capacity report required in paragraph (a) of this section and shall be submitted no later than indicated in paragraphs (b)(1)(i)(A) and (B) of this section. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in paragraphs (b)(1)(ii) and (b)(3) of this section.

(A) June 10, 1996, for landfills that commenced construction, modification, or reconstruction on or after May 30, 1991, but before March 12, 1996, or

(B) Ninety days after the date of commenced construction, modification, or reconstruction for landfills that commence construction, modification, or reconstruction on or after March 12, 1996.

(ii) If the estimated NMOC emission rate as reported in the annual report to the Administrator is less than 50 megagrams per year in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Administrator. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the Administrator. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

(2) The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual or 5-year emissions.

(3) Each owner or operator subject to the requirements of this subpart is exempted from the requirements of paragraphs (b)(1) and (2) of this section, after the installation of a collection and control system in compliance with §60.752(b)(2), during such time as the collection and control system is in operation and in compliance with §§60.753 and 60.755.

(c) Each owner or operator subject to the provisions of §60.752(b)(2)(i) shall submit a collection and control system design plan to the Administrator within 1 year of the first report required under paragraph (b) of this section in which the emission rate equals or exceeds 50 megagrams per year, except as follows:

(1) If the owner or operator elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis as provided in §60.754(a)(3) and the resulting rate is less than 50 megagrams per year, annual periodic reporting shall be resumed, using the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 50 megagrams per year or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, shall be submitted within 180 days of the first calculated exceedance of 50 megagrams per year.

(2) If the owner or operator elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant (k), as provided in Tier 3 in §60.754(a)(4), and the resulting NMOC emission rate is less than 50 Mg/yr, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of §60.754(a)(4) and the resulting site-specific methane generation rate constant (k) shall be submitted to the Administrator within 1 year of the first calculated emission rate exceeding 50 megagrams per year.

(d) Each owner or operator of a controlled landfill shall submit a closure report to the Administrator within 30 days of waste acceptance cessation. The Administrator may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to the Administrator, no additional wastes may be placed into the landfill without filing a notification of modification as described under §60.7(a)(4).

(e) Each owner or operator of a controlled landfill shall submit an equipment removal report to the Administrator 30 days prior to removal or cessation of operation of the control equipment.

(1) The equipment removal report shall contain all of the following items:

(i) A copy of the closure report submitted in accordance with paragraph (d) of this section;

(ii) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and

(iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.

(2) The Administrator may request such additional information as may be necessary to verify that all of the conditions for removal in §60.752(b)(2)(v) have been met.

(f) Each owner or operator of a landfill seeking to comply with §60.752(b)(2) using an active collection system designed in accordance with §60.752(b)(2)(ii) shall submit to the Administrator annual reports of the recorded information in (f)(1) through (f)(6) of this paragraph. The initial annual report shall be submitted

within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under §60.8. For enclosed combustion devices and flares, reportable exceedances are defined under §60.758(c).

(1) Value and length of time for exceedance of applicable parameters monitored under §60.756(a), (b), (c), and (d).

(2) Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under §60.756.

(3) Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.

(4) All periods when the collection system was not operating in excess of 5 days.

(5) The location of each exceedance of the 500 parts per million methane concentration as provided in §60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.

(6) The date of installation and the location of each well or collection system expansion added pursuant to paragraphs (a)(3), (b), and (c)(4) of §60.755.

(g) Each owner or operator seeking to comply with §60.752(b)(2)(iii) shall include the following information with the initial performance test report required under §60.8:

(1) A diagram of the collection system showing collection system positioning including all wells, horizontal collectors, surface collectors, or other gas extraction devices, including the locations of any areas excluded from collection and the proposed sites for the future collection system expansion;

(2) The data upon which the sufficient density of wells, horizontal collectors, surface collectors, or other gas extraction devices and the gas mover equipment sizing are based;

(3) The documentation of the presence of asbestos or nondegradable material for each area from which collection wells have been excluded based on the presence of asbestos or nondegradable material;

(4) The sum of the gas generation flow rates for all areas from which collection wells have been excluded based on nonproductivity and the calculations of gas generation flow rate for each excluded area; and

(5) The provisions for increasing gas mover equipment capacity with increased gas generation flow rate, if the present gas mover equipment is inadequate to move the maximum flow rate expected over the life of the landfill; and

(6) The provisions for the control of off-site migration.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32752, June 16, 1998; 65 FR 18909, Apr. 10, 2000]

§ 60.758 Recordkeeping requirements.

(a) Except as provided in §60.752(b)(2)(i)(B), each owner or operator of an MSW landfill subject to the provisions of §60.752(b) shall keep for at least 5 years up-to-date, readily accessible, on-site records of the design capacity report which triggered §60.752(b), the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

(b) Except as provided in §60.752(b)(2)(i)(B), each owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in paragraphs (b)(1) through (b)(4) of this section as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the control device vendor specifications shall be maintained until removal.

(1) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with §60.752(b)(2)(ii):

(i) The maximum expected gas generation flow rate as calculated in §60.755(a)(1). The owner or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Administrator.

(ii) The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in §60.759(a)(1).

(2) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with §60.752(b)(2)(iii) through use of an enclosed combustion device other than a boiler or process heater with a design heat input capacity equal to or greater than 44 megawatts:

(i) The average combustion temperature measured at least every 15 minutes and averaged over the same time period of the performance test.

(ii) The percent reduction of NMOC determined as specified in §60.752(b)(2)(iii)(B) achieved by the control device.

(3) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with §60.752(b)(2)(iii)(B)(*1*) through use of a boiler or process heater of any size: a description of the location at which the collected gas vent stream is introduced into the boiler or process heater over the same time period of the performance testing.

(4) Where an owner or operator subject to the provisions of this subpart seeks to demonstrate compliance with §60.752(b)(2)(iii)(A) through use of an open flare, the flare type (i.e., steam-assisted, air-assisted, or nonassisted), all visible emission readings, heat content determination, flow rate or bypass flow rate measurements, and exit velocity determinations made during the performance test as specified in §60.18; continuous records of the flare pilot flame or flare flame monitoring and records of all periods of operations during which the pilot flame of the flare flame is absent.

(c) Except as provided in §60.752(b)(2)(i)(B), each owner or operator of a controlled landfill subject to the provisions of this subpart shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in §60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded.

(1) The following constitute exceedances that shall be recorded and reported under §60.757(f):

(i) For enclosed combustors except for boilers and process heaters with design heat input capacity of 44 megawatts (150 million British thermal unit per hour) or greater, all 3-hour periods of operation during which the average combustion temperature was more than 28 oC below the average combustion temperature during the most recent performance test at which compliance with §60.752(b)(2)(iii) was determined.

(ii) For boilers or process heaters, whenever there is a change in the location at which the vent stream is introduced into the flame zone as required under paragraph (b)(3) of this section.

(2) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under §60.756.

(3) Each owner or operator subject to the provisions of this subpart who uses a boiler or process heater with a design heat input capacity of 44 megawatts or greater to comply with §60.752(b)(2)(iii) shall keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater. (Examples of such records could include records of steam use, fuel use, or monitoring data collected pursuant to other State, local, Tribal, or Federal regulatory requirements.)

(4) Each owner or operator seeking to comply with the provisions of this subpart by use of an open flare shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under §60.756(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame is absent.

(d) Except as provided in §60.752(b)(2)(i)(B), each owner or operator subject to the provisions of this subpart shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

(1) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under §60.755(b).

(2) Each owner or operator subject to the provisions of this subpart shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in §60.759(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in §60.759(a)(3)(ii).

(e) Except as provided in §60.752(b)(2)(i)(B), each owner or operator subject to the provisions of this subpart shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in §60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

(f) Landfill owners or operators who convert design capacity from volume to mass or mass to volume to demonstrate that landfill design capacity is less than 2.5 million megagrams or 2.5 million cubic meters, as provided in the definition of “design capacity”, shall keep readily accessible, on-site records of the annual recalculation of site-specific density, design capacity, and the supporting documentation. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32752, June 16, 1998; 65 FR 18909, Apr. 10, 2000]

§ 60.759 Specifications for active collection systems.

(a) Each owner or operator seeking to comply with §60.752(b)(2)(i) shall site active collection wells, horizontal collectors, surface collectors, or other extraction devices at a sufficient density throughout all gas producing areas using the following procedures unless alternative procedures have been approved by the Administrator as provided in §60.752(b)(2)(i)(C) and (D):

(1) The collection devices within the interior and along the perimeter areas shall be certified to achieve comprehensive control of surface gas emissions by a professional engineer. The following issues shall be addressed in the design: depths of refuse, refuse gas generation rates and flow characteristics, cover properties, gas system expandibility, leachate and condensate management, accessibility, compatibility with filling operations, integration with closure end use, air intrusion control, corrosion resistance, fill settlement, and resistance to the refuse decomposition heat.

(2) The sufficient density of gas collection devices determined in paragraph (a)(1) of this section shall address landfill gas migration issues and augmentation of the collection system through the use of active or passive systems at the landfill perimeter or exterior.

(3) The placement of gas collection devices determined in paragraph (a)(1) of this section shall control all gas producing areas, except as provided by paragraphs (a)(3)(i) and (a)(3)(ii) of this section.

(i) Any segregated area of asbestos or nondegradable material may be excluded from collection if documented as provided under §60.758(d). The documentation shall provide the nature, date of deposition, location and amount of asbestos or nondegradable material deposited in the area, and shall be provided to the Administrator upon request.

(ii) Any nonproductive area of the landfill may be excluded from control, provided that the total of all excluded areas can be shown to contribute less than 1 percent of the total amount of NMOC emissions from the landfill. The amount, location, and age of the material shall be documented and provided to the Administrator upon request. A separate NMOC emissions estimate shall be made for each section proposed for exclusion, and the sum of all such sections shall be compared to the NMOC emissions estimate for the entire landfill. Emissions from each section shall be computed using the following equation:

$Q_i = 2\ k\ L_o M_i (e^{-kt_i})\ (C_{NMOC})\ (3.6 \times 10^{-9})$

where,

Q_i = NMOC emission rate from the ith section, megagrams per year

k = methane generation rate constant, $year^{-1}$

L_o = methane generation potential, cubic meters per megagram solid waste

M_i = mass of the degradable solid waste in the ith section, megagram

t_i = age of the solid waste in the ith section, years

C_{NMOC} = concentration of nonmethane organic compounds, parts per million by volume

3.6×10^{-9} = conversion factor

(iii) The values for k and C_{NMOC} determined in field testing shall be used if field testing has been performed in determining the NMOC emission rate or the radii of influence (this distance from the well center to a point in the landfill where the pressure gradient applied by the blower or compressor approaches zero). If field testing has not been performed, the default values for k, L_O and C_{NMOC} provided in §60.754(a)(1) or the alternative values from §60.754(a)(5) shall be used. The mass of nondegradable solid waste contained within the given section may be subtracted from the total mass of the section when estimating emissions provided the nature, location, age, and amount of the nondegradable material is documented as provided in paragraph (a)(3)(i) of this section.

(b) Each owner or operator seeking to comply with §60.752(b)(2)(i)(A) shall construct the gas collection devices using the following equipment or procedures:

(1) The landfill gas extraction components shall be constructed of polyvinyl chloride (PVC), high density polyethylene (HDPE) pipe, fiberglass, stainless steel, or other nonporous corrosion resistant material of suitable dimensions to: convey projected amounts of gases; withstand installation, static, and settlement forces; and withstand planned overburden or traffic loads. The collection system shall extend as necessary to comply with emission and migration standards. Collection devices such as wells and horizontal collectors shall be perforated to allow gas entry without head loss sufficient to impair performance across the intended extent of control. Perforations shall be situated with regard to the need to prevent excessive air infiltration.

(2) Vertical wells shall be placed so as not to endanger underlying liners and shall address the occurrence of water within the landfill. Holes and trenches constructed for piped wells and horizontal collectors shall be of sufficient cross-section so as to allow for their proper construction and completion including, for example, centering of pipes and placement of gravel backfill. Collection devices shall be designed so as not to allow indirect short circuiting of air into the cover or refuse into the collection system or gas into the air. Any gravel used around pipe perforations should be of a dimension so as not to penetrate or block perforations.

(3) Collection devices may be connected to the collection header pipes below or above the landfill surface. The connector assembly shall include a positive closing throttle valve, any necessary seals and couplings, access couplings and at least one sampling port. The collection devices shall be constructed of PVC, HDPE, fiberglass, stainless steel, or other nonporous material of suitable thickness.

(c) Each owner or operator seeking to comply with §60.752(b)(2)(i)(A) shall convey the landfill gas to a control system in compliance with §60.752(b)(2)(iii) through the collection header pipe(s). The gas mover equipment shall be sized to handle the maximum gas generation flow rate expected over the intended use period of the gas moving equipment using the following procedures:

(1) For existing collection systems, the flow data shall be used to project the maximum flow rate. If no flow data exists, the procedures in paragraph (c)(2) of this section shall be used.

(2) For new collection systems, the maximum flow rate shall be in accordance with §60.755(a)(1).

[61 FR 9919, Mar. 12, 1996, as amended at 63 FR 32753, June 16, 1998; 64 FR 9262, Feb. 24, 1999; 65 FR 18909, Apr. 10, 2000]

Indiana Department of Environmental Management

Office of Air Quality
Attachment B

Source Description and Location

Source Name:	Liberty Landfill, Inc.
Source Location:	8635 East SR 16, Monticello, Indiana 47960
County:	White County
SIC Code:	4953
Operation Permit No.:	T 181-29266-00035
Operation Permit Issuance Date:	November 30, 2010
Permit Reviewer:	Kimberly Malley

Complete Text - 40 CFR 60, Subpart JJJJ

Subpart JJJJ — Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

Source: 73 FR 3591, Jan. 18, 2008, unless otherwise noted.

What This Subpart Covers

§ 60.4230 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (6) 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 SI ICE with a maximum engine power less than or equal to 19 kilowatt (KW) (25 horsepower (HP)) that are manufactured on or after July 1, 2008.

(2) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline fueled or that are rich burn engines fueled by liquefied petroleum gas (LPG), where the date of manufacture is:

(i) On or after July 1, 2008; or

(ii) On or after January 1, 2009, for emergency engines.

(3) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are not gasoline fueled and are not rich burn engines fueled by LPG, where the manufacturer participates in the voluntary manufacturer certification program described in this subpart and where the date of manufacture is:

(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) On or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

(iii) On or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

(iv) On or after January 1, 2009, for emergency engines.

(4) Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:

(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) on or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

(iii) on or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

(iv) on or after January 1, 2009, for emergency engines with a maximum engine power greater than 19 KW (25 HP).

(5) Owners and operators of stationary SI ICE that are modified or reconstructed after June 12, 2006, and any person that modifies or reconstructs any stationary SI ICE after June 12, 2006.

(6) The provisions of §60.4236 of this subpart are applicable to all owners and operators of stationary SI ICE that commence construction after June 12, 2006.

(b) The provisions of this subpart are not applicable to stationary SI ICE being tested at an engine 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 as applicable.

(d) For the purposes of this subpart, stationary SI ICE using alcohol-based fuels are considered gasoline engines.

(e) Stationary SI 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 parts 90 and 1048, 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.

(f) Owners and operators of facilities with internal combustion engines that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37972, June 28, 2011]

Emission Standards for Manufacturers

§ 60.4231 What emission standards must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing such engines?

(a) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008 to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as follows:

If engine displacement is * * *	and manufacturing dates are * * *	the engine must meet emission standards and related requirements for nonhandheld engines under * * *
(1) below 225 cc	July 1, 2008 to December 31, 2011	40 CFR part 90.
(2) below 225 cc	January 1, 2012 or later	40 CFR part 1054.
(3) at or above 225 cc	July 1, 2008 to December 31, 2010	40 CFR part 90.
(4) at or above 225 cc	January 1, 2011 or later	40 CFR part 1054.

(b) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that use gasoline and that are manufactured on or after the applicable date in §60.4230(a)(2), or manufactured on or after the applicable date in §60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE with a maximum engine power greater than 25 HP and less than 130 HP that are manufactured on or after the applicable date in §60.4230(a)(4) to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cubic centimeters (cc) to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.

(c) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that are rich burn engines that use LPG and that are manufactured on or after the applicable date in §60.4230(a)(2), or manufactured on or after the applicable date in §60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE with a maximum engine power greater than 25 HP and less than 130 HP that are manufactured on or after the applicable date in §60.4230(a)(4) to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.

(d) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power

greater than 25 HP and less than 130 HP) under the voluntary manufacturer certification program described in this subpart must certify those engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers who choose to certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP, must certify those engines to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate. For stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) manufactured prior to January 1, 2011, manufacturers may choose to certify these engines to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP.

(e) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) under the voluntary manufacturer certification program described in this subpart must certify those engines to the emission standards in Table 1 to this subpart. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) that are lean burn engines that use LPG to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. For stationary SI ICE with a maximum engine power greater than or equal to 100 HP (75 KW) and less than 500 HP (373 KW) manufactured prior to January 1, 2011, and for stationary SI ICE with a maximum engine power greater than or equal to 500 HP (373 KW) manufactured prior to July 1, 2010, manufacturers may choose to certify these engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048 applicable to engines that are not severe duty engines.

(f) Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, to the extent they apply to equipment manufacturers.

(g) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary SI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (e) of this section that are applicable to the model year, maximum engine power and displacement of the reconstructed stationary SI ICE.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59175, Oct. 8, 2008; 76 FR 37973, June 28, 2011]

§ 60.4232 How long must my engines meet the emission standards if I am a manufacturer of stationary SI internal combustion engines?

Engines manufactured by stationary SI internal combustion engine manufacturers must meet the emission standards as required in §60.4231 during the certified emissions life of the engines.

Emission Standards for Owners and Operators

§ 60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?

(a) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008, must comply with the emission standards in §60.4231(a) for their stationary SI ICE.

(b) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in §60.4230(a)(4) that use gasoline must comply with the emission standards in §60.4231(b) for their stationary SI ICE.

(c) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in §60.4230(a)(4) that are rich burn engines that use LPG must comply with the emission standards in §60.4231(c) for their stationary SI ICE.

(d) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for field testing in 40 CFR 1048.101(c) for their non-emergency stationary SI ICE and with the emission standards in Table 1 to this subpart for their emergency stationary SI ICE. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) manufactured prior to January 1, 2011, that were certified to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP, may optionally choose to meet those standards.

(e) Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP (except gasoline and rich burn engines that use LPG) manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in Table 1 to this subpart, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.

(f) Owners and operators of any modified or reconstructed stationary SI ICE subject to this subpart must meet the requirements as specified in paragraphs (f)(1) through (5) of this section.

(1) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with emission standards in §60.4231(a) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in §60.4231(a) applicable to engines manufactured on July 1, 2008.

(2) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline engines and are modified or reconstructed after June 12, 2006, must comply with the emission standards in §60.4231(b) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in §60.4231(b) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).

(3) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are rich burn engines that use LPG, that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in §60.4231(c). Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in §60.4231(c) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).

(4) Owners and operators of stationary SI natural gas and lean burn LPG engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (d) or (e) of this section, except that such owners and operators of non-emergency engines and emergency engines greater than or equal to 130 HP must meet a nitrogen oxides (NO_X) emission standard of 3.0 grams per HP-hour (g/HP-hr), a CO emission standard of 4.0 g/HP-hr (5.0 g/HP-hr for non-emergency engines less than 100 HP), and a volatile organic compounds (VOC) emission standard of 1.0 g/HP-hr, or a NO_Xemission standard of 250 ppmvd at 15 percent oxygen (O_2), a CO emission standard 540 ppmvd at 15 percent O_2(675 ppmvd at 15 percent $O_2$for non-emergency engines less than 100 HP), and a VOC emission standard of 86 ppmvd at 15 percent O_2, where the date of manufacture of the engine is:

(i) Prior to July 1, 2007, for non-emergency engines with a maximum engine power greater than or equal to 500 HP (except lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) Prior to July 1, 2008, for non-emergency engines with a maximum engine power less than 500 HP;

(iii) Prior to January 1, 2009, for emergency engines;

(iv) Prior to January 1, 2008, for non-emergency lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP.

(5) Owners and operators of stationary SI landfill/digester gas ICE engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (e) of this section for stationary landfill/digester gas engines. Engines with maximum engine power less than 500 HP and a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power less than 500 HP manufactured on July 1, 2008. Engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) and a date of manufacture prior to July 1, 2007 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) manufactured on July 1, 2007. Lean burn engines greater than or equal to 500 HP and less than 1,350 HP with a date of manufacture prior to January 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE that are lean burn engines greater than or equal to 500 HP and less than 1,350 HP and manufactured on January 1, 2008.

(g) Owners and operators of stationary SI wellhead gas ICE engines may petition the Administrator for approval on a case-by-case basis to meet emission standards no less stringent than the emission standards that apply to stationary emergency SI engines greater than 25 HP and less than 130 HP due to the presence of high sulfur levels in the fuel, as specified in Table 1 to this subpart. The request must, at a minimum, demonstrate that the fuel has high sulfur levels that prevent the use of aftertreatment controls and also that the owner has reasonably made all attempts possible to obtain an engine that will meet the standards without the use of aftertreatment controls. The petition must request the most stringent standards reasonably applicable to the engine using the fuel.

(h) Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37973, June 28, 2011]

§ 60.4234 How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

Other Requirements for Owners and Operators

§ 60.4235 What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?

Owners and operators of stationary SI ICE subject to this subpart that use gasoline must use gasoline that meets the per gallon sulfur limit in 40 CFR 80.195.

§ 60.4236 What is the deadline for importing or installing stationary SI ICE produced in previous model years?

(a) After July 1, 2010, owners and operators may not install stationary SI ICE with a maximum engine power of less than 500 HP that do not meet the applicable requirements in §60.4233.

(b) After July 1, 2009, owners and operators may not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in §60.4233, except that lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP that do not meet the applicable requirements in §60.4233 may not be installed after January 1, 2010.

(c) For emergency stationary SI ICE with a maximum engine power of greater than 19 KW (25 HP), owners and operators may not install engines that do not meet the applicable requirements in §60.4233 after January 1, 2011.

(d) In addition to the requirements specified in §§60.4231 and 60.4233, it is prohibited to import stationary SI ICE less than or equal to 19 KW (25 HP), stationary rich burn LPG SI ICE, and stationary gasoline SI ICE that do not meet the applicable requirements specified in paragraphs (a), (b), and (c) of this section, after the date specified in paragraph (a), (b), and (c) of this section.

(e) The requirements of this section do not apply to owners and operators of stationary SI ICE that have been modified or reconstructed, and they do not apply to engines that were removed from one existing location and reinstalled at a new location.

§ 60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?

(a) Starting on July 1, 2010, if the emergency stationary SI internal combustion engine that is greater than or equal to 500 HP that was built on or after July 1, 2010, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(b) Starting on January 1, 2011, if the emergency stationary SI internal combustion engine that is greater than or equal to 130 HP and less than 500 HP that was built on or after January 1, 2011, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(c) If you are an owner or operator of an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter upon startup of your emergency engine.

Compliance Requirements for Manufacturers

§ 60.4238 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines ≤19 KW (25 HP) or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(a) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[73 FR 59176, Oct. 8, 2008]

§ 60.4239 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that use gasoline or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(b) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[73 FR 59176, Oct. 8, 2008]

§ 60.4240 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that are rich burn engines that use LPG or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(c) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part

1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[73 FR 59176, Oct. 8, 2008]

§ 60.4241 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines participating in the voluntary certification program or a manufacturer of equipment containing such engines?

(a) Manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to certify their engines to the emission standards in §60.4231(d) or (e), as applicable, under the voluntary certification program described in this subpart. Manufacturers who certify their engines under the voluntary certification program must meet the requirements as specified in paragraphs (b) through (g) of this section. In addition, manufacturers of stationary SI internal combustion engines who choose to certify their engines under the voluntary certification program, must also meet the requirements as specified in §60.4247.

(b) Manufacturers of engines other than those certified to standards in 40 CFR part 90 or 40 CFR part 1054 must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must follow the same test procedures that apply to large SI nonroad engines under 40 CFR part 1048, but must use the D–1 cycle of International Organization of Standardization 8178–4: 1996(E) (incorporated by reference, see 40 CFR 60.17) or the test cycle requirements specified in Table 3 to 40 CFR 1048.505, except that Table 3 of 40 CFR 1048.505 applies to high load engines only. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

(c) Certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, is voluntary, but manufacturers who decide to certify are subject to all of the requirements indicated in this subpart with regard to the engines included in their certification. Manufacturers must clearly label their stationary SI engines as certified or non-certified engines.

(d) Manufacturers of natural gas fired stationary SI ICE who conduct voluntary certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the definition of pipeline-quality natural gas. The fuel used for certifying stationary SI natural gas engines must meet the definition of pipeline-quality natural gas as described in §60.4248. In addition, the manufacturer must provide information to the owner and operator of the certified stationary SI engine including the specifications of the pipeline-quality natural gas to which the engine is certified and what adjustments the owner or operator must make to the engine when installed in the field to ensure compliance with the emission standards.

(e) Manufacturers of stationary SI ICE that are lean burn engines fueled by LPG who conduct voluntary certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the specifications in 40 CFR 1065.720.

(f) Manufacturers may certify their engines for operation using gaseous fuels in addition to pipeline-quality natural gas; however, the manufacturer must specify the properties of that fuel and provide testing information showing that the engine will meet the emission standards specified in §60.4231(d) or (e), as applicable, when operating on that fuel. The manufacturer must also provide instructions for configuring the stationary engine to meet the emission standards on fuels that do not meet the pipeline-quality natural gas definition. The manufacturer must also provide information to the owner and operator of the certified stationary SI engine regarding the configuration that is most conducive to reduced emissions where the engine will be operated on gaseous fuels with different quality than the fuel that it was certified to.

(g) A stationary SI engine manufacturer may certify an engine family solely to the standards applicable to landfill/digester gas engines as specified in §60.4231(d) or (e), as applicable, but must certify their engines for operation using landfill/digester gas and must add a permanent label stating that the engine is for use only in landfill/digester gas applications. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).

(h) For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

(i) For engines being certified to the voluntary certification standards in Table 1 of this subpart, the VOC measurement shall be made by following the procedures in 40 CFR 1065.260 and 1065.265 in order to determine the total NMHC emissions by using a flame-ionization detector and non-methane cutter. As an alternative to the nonmethane cutter, manufacturers may use a gas chromatograph as allowed under 40 CFR 1065.267 and may measure ethane, as well as methane, for excluding such levels from the total VOC measurement.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59176, Oct. 8, 2008; 76 FR 37974, June 28, 2011]

§ 60.4242 What other requirements must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

(a) Stationary SI internal combustion engine manufacturers must meet the provisions of 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054, as applicable, as well as 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1048 or 1054, except that engines certified pursuant to the voluntary certification procedures in §60.4241 are subject only to the provisions indicated in §60.4247 and are permitted to provide instructions to owners and operators allowing for deviations from certified configurations, if such deviations are consistent with the provisions of paragraphs §60.4241(c) through (f). Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, as applicable. Labels on engines certified to 40 CFR part 1048 must refer to stationary engines, rather than or in addition to nonroad engines, as appropriate.

(b) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054 for that model year may certify any such family that contains both nonroad 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. This provision also applies to equipment or component manufacturers certifying to standards under 40 CFR part 1060.

(c) Manufacturers of engine families certified to 40 CFR part 1048 may meet the labeling requirements referred to in paragraph (a) of this section for stationary SI ICE by either adding a separate label containing the information required in paragraph (a) of this section or by adding the words “and stationary” after the word “nonroad” to the label.

(d) For all engines manufactured on or after January 1, 2011, and for all engines with a maximum engine power greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, a stationary SI engine manufacturer that certifies an engine family solely to the standards applicable to emergency engines must add a permanent label stating that the engines in that family are for emergency use only. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).

(e) All stationary SI engines subject to mandatory certification 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. Stationary SI engines subject to standards in 40 CFR part 90 may use the provisions in 40 CFR 90.909. Manufacturers of stationary engines with a maximum engine power greater than 25 HP that are not certified to standards and other requirements under 40 CFR part 1048 are subject to the labeling provisions of 40 CFR 1048.20 pertaining to excluded stationary engines.

(f) For manufacturers of gaseous-fueled stationary engines required to meet the warranty provisions in 40 CFR 90.1103 or 1054.120, we may establish an hour-based warranty period equal to at least the certified emissions life of the engines (in engine operating hours) if we determine that these engines are likely to operate for a number of hours greater than the applicable useful life within 24 months. We will not approve an alternate warranty under this paragraph (f) for nonroad engines. An alternate warranty period approved under this paragraph (f) will be the specified number of engine operating hours or two years, whichever comes first. The engine manufacturer shall request this alternate warranty period in its application for certification or in an earlier submission. We may approve an alternate warranty period for an engine family subject to the following conditions:

(1) The engines must be equipped with non-resettable hour meters.

(2) The engines must be designed to operate for a number of hours substantially greater than the applicable certified emissions life.

(3) The emission-related warranty for the engines may not be shorter than any published warranty offered by the manufacturer without charge for the engines. Similarly, the emission-related warranty for any component shall not be shorter than any published warranty offered by the manufacturer without charge for that component.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]

Compliance Requirements for Owners and Operators

§ 60.4243 What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?

(a) If you are an owner or operator of a stationary SI internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in §60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in §60.4231(a) through (c), as applicable, for the same engine class and maximum engine power. In addition, you must meet one of the requirements specified in (a)(1) and (2) of this section.

(1) If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted

maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance.

(2) If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be considered a non-certified engine, and you must demonstrate compliance according to (a)(2)(i) through (iii) of this section, as appropriate.

(i) If you are an owner or operator of a stationary SI internal combustion engine less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup to demonstrate compliance.

(iii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.

(1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.

(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in §60.4233(d) or (e) and according to the requirements specified in §60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.

(i) If you are an owner or operator of a stationary SI internal combustion engine greater than 25 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(c) If you are an owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in §60.4233(f), you must demonstrate compliance according paragraph (b)(2)(i) or (ii) of this section, except that if you comply according to paragraph (b)(2)(i) of this section, you demonstrate that your non-certified engine complies with the emission standards specified in §60.4233(f).

(d) 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. The owner or operator 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. Emergency stationary ICE may operate up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this section, is prohibited.

(e) Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of §60.4233.

(f) If you are an owner or operator of a stationary SI internal combustion engine that is less than or equal to 500 HP and you purchase a non-certified engine or you do not operate and maintain your certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, you are required to perform initial performance testing as indicated in this section, but you are not required to conduct subsequent performance testing unless the stationary engine is rebuilt or undergoes major repair or maintenance. A rebuilt stationary SI ICE means an engine that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(g) It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

(h) If you are an owner/operator of an stationary SI internal combustion engine with maximum engine power greater than or equal to 500 HP that is manufactured after July 1, 2007 and before July 1, 2008, and must comply with the emission standards specified in sections 60.4233(b) or (c), you must comply by one of the methods specified in paragraphs (h)(1) through (h)(4) of this section.

(1) Purchasing an engine certified according to 40 CFR part 1048. 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.

(i) If you are an owner or operator of a modified or reconstructed stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(f), you must demonstrate compliance according to one of the methods specified in paragraphs (i)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in §60.4233(f), as applicable.

(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in §60.4244. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011]

Testing Requirements for Owners and Operators

§ 60.4244 What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in §60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(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 be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(d) To determine compliance with the NO_X mass per unit output emission limitation, convert the concentration of NO_X in the engine exhaust using Equation 1 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{HP - hr} \qquad \text{(Eq. 1)}$$

Where:

ER = Emission rate of NO_X in g/HP-hr.

C_d = Measured NO_X concentration in parts per million by volume (ppmv).

1.912×10^{-3} = Conversion constant for ppm NO_X to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

$$ER = \frac{C_d \times 1.164 \times 10^{-3} \times Q \times T}{HP - hr} \qquad \text{(Eq. 2)}$$

Where:

ER = Emission rate of CO in g/HP-hr.

Cd= Measured CO concentration in ppmv.

1.164×10^{-3} = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

$$ER = \frac{C_d \times 1.833 \times 10^{-3} \times Q \times T}{HP - hr} \qquad \text{(Eq. 3)}$$

Where:

ER = Emission rate of VOC in g/HP-hr.

Cd= VOC concentration measured as propane in ppmv.

1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

$$RF_i = \frac{C_{Mi}}{C_{Ai}} \qquad \text{(Eq. 4)}$$

Where:

RFi= Response factor of compound i when measured with EPA Method 25A.

C_Mi= Measured concentration of compound i in ppmv as carbon.

C_Ai= True concentration of compound i in ppmv as carbon.

$$C_{icorr} = RF_i \times C_{imeas} \qquad \text{(Eq. 5)}$$

Where:

Ci_{corr}= Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

Ci_{meas}= Concentration of compound i measured by EPA Method 320, ppmv as carbon.

$$C_{Peq} = 0.6098 \times C_{icorr} \qquad \text{(Eq. 6)}$$

Where:

CPeq= Concentration of compound i in mg of propane equivalent per DSCM.

Notification, Reports, and Records for Owners and Operators

§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

(a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

(b) For all stationary SI emergency ICE greater than or equal to 500 HP manufactured on or after July 1, 2010, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

(c) Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in §60.4231 must submit an initial notification as required in §60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section.

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]

General Provisions

§ 60.4246 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

Mobile Source Provisions

§ 60.4247 What parts of the mobile source provisions apply to me if I am a manufacturer of stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

(a) Manufacturers certifying to emission standards in 40 CFR part 90, including manufacturers certifying emergency engines below 130 HP, must meet the provisions of 40 CFR part 90. Manufacturers certifying to emission standards in 40 CFR part 1054 must meet the provisions of 40 CFR part 1054. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060 to the extent they apply to equipment manufacturers.

(b) Manufacturers required to certify to emission standards in 40 CFR part 1048 must meet the provisions of 40 CFR part 1048. Manufacturers certifying to emission standards in 40 CFR part 1048 pursuant to the voluntary certification program must meet the requirements in Table 4 to this subpart as well as the standards in 40 CFR 1048.101.

(c) For manufacturers of stationary SI internal combustion engines participating in the voluntary certification program and certifying engines to Table 1 to this subpart, Table 4 to this subpart shows which parts of the mobile source provisions in 40 CFR parts 1048, 1065, and 1068 apply to you. Compliance with the deterioration factor provisions under 40 CFR 1048.205(n) and 1048.240 will be required for engines built new on and after January 1, 2010. Prior to January 1, 2010, manufacturers of stationary internal combustion engines participating in the voluntary certification program have the option to develop their own deterioration factors based on an engineering analysis.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]

Definitions

§ 60.4248 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.

Certified emissions 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 certified emissions life for stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) are given in 40 CFR 90.105, 40 CFR 1054.107, and 40 CFR 1060.101, as appropriate. The values for certified emissions life for stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) certified to 40 CFR part 1048 are given in 40 CFR 1048.101(g). The certified emissions life for stationary SI ICE with a maximum engine power greater than 75 KW (100 HP) certified under the voluntary manufacturer certification program of this subpart is 5,000 hours or 7 years, whichever comes first. You may request in your application for certification that we approve a shorter certified emissions life for an engine family. We may approve a shorter certified emissions life, in hours of engine operation but not in years, if we determine that these engines will rarely operate longer than the shorter certified emissions life. If engines identical to those in the engine family have already been produced and are in use, your demonstration must include documentation from such in-use engines. In other cases, your demonstration must include an engineering analysis of information equivalent to such in-use data, such as data from research engines or similar engine models that are already in production. Your demonstration must also include any overhaul interval that you recommend, any mechanical warranty that you offer for the engine or its components, and any relevant customer design specifications. Your demonstration may include any other relevant information. The certified emissions life value may not be shorter than any of the following:

(i) 1,000 hours of operation.

(ii) Your recommended overhaul interval.

(iii) Your mechanical warranty for the engine.

Certified stationary internal combustion engine means an engine that belongs to an engine family that has a certificate of conformity that complies with the emission standards and requirements in this part, or of 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054, as appropriate.

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.

Date of manufacture means one of the following things:

(1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.

(2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.

(3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

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.

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 carbon dioxide (CO2).

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 SI ICE used for peak shaving are not considered emergency stationary ICE. 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.

Engine manufacturer means the manufacturer of the engine. See the definition of “manufacturer” in this section.

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.

Freshly manufactured engine means an engine that has not been placed into service. An engine becomes freshly manufactured when it is originally produced.

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.

Installed means the engine is placed and secured at the location where it is intended to be operated.

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.

Liquefied petroleum gas means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining or natural gas production.

Manufacturer has the meaning given in section 216(1) of the Clean Air 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 resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1048.801.

Model year means the calendar year in which an engine is manufactured (see “date of manufacture”), except as follows:

(1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see “date of manufacture”), if the annual new model production period is different than the calendar year and includes 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.

(2) 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 manufactured (see “date of manufacture”).

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.

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.

Pipeline-quality natural gas means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions, and which is provided by a supplier through a pipeline. Pipeline-quality natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units per standard cubic foot.

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 June 12, 2006, 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.

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 either: a gasoline-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 compression ignition 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, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Stationary internal combustion engine test cell/stand means an engine test cell/stand, as defined in 40 CFR part 63, subpart PPPPP, that tests stationary ICE.

Stoichiometric means the theoretical air-to-fuel ratio required for complete combustion.

Subpart means 40 CFR part 60, subpart JJJJ.

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.

Volatile organic compounds means volatile organic compounds as defined in 40 CFR 51.100(s).

Voluntary certification program means an optional engine certification program that manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to participate in to certify their engines to the emission standards in §60.4231(d) or (e), as applicable.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008; 76 FR 37974, June 28, 2011]

Table 1 to Subpart JJJJ of Part 60—NO_X, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP

Engine type and fuel	Maximum engine power	Manufacture date	Emission standards[a]					
			g/HP-hr			ppmvd at 15% O_2		
			NO_X	CO	VOC[d]	NO_X	CO	VOC[d]
Non-Emergency SI Natural Gas[b] and Non-Emergency SI Lean Burn LPG[b]	100≤HP<500	7/1/2008	2.0	4.0	1.0	160	540	86
		1/1/2011	1.0	2.0	0.7	82	270	60
Non-Emergency SI Lean Burn Natural Gas and LPG	500≤HP<1,350	1/1/2008	2.0	4.0	1.0	160	540	86
		7/1/2010	1.0	2.0	0.7	82	270	60
Non-Emergency SI Natural Gas and Non-Emergency SI Lean Burn LPG (except lean burn 500≤HP<1,350)	HP≥500	7/1/2007	2.0	4.0	1.0	160	540	86
	HP≥500	7/1/2010	1.0	2.0	0.7	82	270	60
Landfill/Digester Gas (except lean burn 500≤HP<1,350)	HP<500	7/1/2008	3.0	5.0	1.0	220	610	80
		1/1/2011	2.0	5.0	1.0	150	610	80
	HP≥500	7/1/2007	3.0	5.0	1.0	220	610	80
		7/1/2010	2.0	5.0	1.0	150	610	80
Landfill/Digester Gas Lean Burn	500≤HP<1,350	1/1/2008	3.0	5.0	1.0	220	610	80
		7/1/2010	2.0	5.0	1.0	150	610	80
Emergency	25<HP<130	1/1/2009	[c]10	387	N/A	N/A	N/A	N/A
	HP≥130		2.0	4.0	1.0	160	540	86

[a]Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O2.

[b]Owners and operators of new or reconstructed non-emergency lean burn SI stationary engines with a site rating of greater than or equal to 250 brake HP located at a major source that are meeting the requirements of 40 CFR part 63, subpart ZZZZ, Table 2a do not have to comply with the CO emission standards of Table 1 of this subpart.

[c]The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of NOX + HC.

[d]For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

[76 FR 37975, June 28, 2011]

Table 2 to Subpart JJJJ of Part 60—Requirements for Performance Tests

As stated in §60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load:

For each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary SI internal combustion engine demonstrating compliance according to §60.4244	a. limit the concentration of NO_X in the stationary SI 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 or ASTM Method D6522–00(2005)[a]	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B[b] of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005)[a]	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for NO_X concentration.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) 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 must be made at the same time as the measurement for NO_X concentration.
		v. Measure NO_X at the exhaust of the stationary internal combustion engine	(5) Method 7E of 40 CFR part 60, appendix A, Method D6522–00(2005)[a], Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(d) Results of this test consist of the average of the three 1-hour or longer runs.

For each	Complying with the requirement to	You must	Using	According to the following requirements
	b. limit the concentration of CO in the stationary SI 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 or ASTM Method D6522–00(2005)[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;	(2) Method 3, 3A, or 3B[b]of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005)[a]	(b) Measurements to determine O_2concentration must be made at the same time as the measurements for CO concentration.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) 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 must be made at the same time as the measurement for CO concentration.
		v. Measure CO at the exhaust of the stationary internal combustion engine	(5) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00(2005)[a], Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(d) Results of this test consist of the average of the three 1-hour or longer runs.
	c. limit the concentration of VOC in the stationary SI 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.

For each	Complying with the requirement to	You must	Using	According to the following requirements
		ii. Determine the O_2concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B[b]of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005)[a]	(b) Measurements to determine O_2concentration must be made at the same time as the measurements for VOC concentration.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) 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 must be made at the same time as the measurement for VOC concentration.
		v. Measure VOC at the exhaust of the stationary internal combustion engine	(5) Methods 25A and 18 of 40 CFR part 60, appendix A, Method 25A with the use of a methane cutter as described in 40 CFR 1065.265, Method 18 or 40 CFR part 60, appendix A[c,d], Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(d) Results of this test consist of the average of the three 1-hour or longer runs.

[76 FR 37975, June 28, 2011]

Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ

[As stated in §60.4246, 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 §60.4248.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§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 §60.4245.
§60.8	Performance tests	Yes	Except that §60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	
§60.11	Compliance with standards and maintenance requirements	Yes	Requirements are specified in subpart JJJJ.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	No	
§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	

Table 4 to Subpart JJJJ of Part 60—Applicability of Mobile Source Provisions for Manufacturers Participating in the Voluntary Certification Program and Certifying Stationary SI ICE to Emission Standards in Table 1 of Subpart JJJJ

[As stated in §60.4247, you must comply with the following applicable mobile source provisions if you are a manufacturer participating in the voluntary certification program and certifying stationary SI ICE to emission standards in Table 1 of subpart JJJJ]

Mobile source provisions citation	Subject of citation	Applies to subpart	Explanation
1048 subpart A	Overview and Applicability	Yes	
1048 subpart B	Emission Standards and Related Requirements	Yes	Except for the specific sections below.

Mobile source provisions citation	Subject of citation	Applies to subpart	Explanation
1048.101	Exhaust Emission Standards	No	
1048.105	Evaporative Emission Standards	No	
1048.110	Diagnosing Malfunctions	No	
1048.140	Certifying Blue Sky Series Engines	No	
1048.145	Interim Provisions	No	
1048 subpart C	Certifying Engine Families	Yes	Except for the specific sections below.
1048.205(b)	AECD reporting	Yes	
1048.205(c)	OBD Requirements	No	
1048.205(n)	Deterioration Factors	Yes	Except as indicated in 60.4247(c).
1048.205(p)(1)	Deterioration Factor Discussion	Yes	
1048.205(p)(2)	Liquid Fuels as they require	No	
1048.240(b)(c)(d)	Deterioration Factors	Yes	
1048 subpart D	Testing Production-Line Engines	Yes	
1048 subpart E	Testing In-Use Engines	No	
1048 subpart F	Test Procedures	Yes	
1065.5(a)(4)	Raw sampling (refers reader back to the specific emissions regulation for guidance)	Yes	
1048 subpart G	Compliance Provisions	Yes	
1048 subpart H	Reserved		
1048 subpart I	Definitions and Other Reference Information	Yes	
1048 appendix I and II	Yes		
1065 (all subparts)	Engine Testing Procedures	Yes	Except for the specific section below.
1065.715	Test Fuel Specifications for Natural Gas	No	
1068 (all subparts)	General Compliance Provisions for Nonroad Programs	Yes	Except for the specific sections below.
1068.245	Hardship Provisions for Unusual Circumstances	No	
1068.250	Hardship Provisions for Small-Volume Manufacturers	No	
1068.255	Hardship Provisions for Equipment Manufacturers and Secondary Engine Manufacturers	No	

Indiana Department of Environmental Management

Office of Air Quality

Attachment C

Source Description and Location

Source Name:	Liberty Landfill, Inc.
Source Location:	8635 East SR 16, Monticello, Indiana 47960
County:	White County
SIC Code:	4953
Operation Permit No.:	T 181-29266-00035
Operation Permit Issuance Date:	November 30, 2010
Permit Reviewer:	Kimberly Malley

Complete Text - 40 CFR 61, Subpart M

40 CFR 61, Subpart M — National Emission Standards for Asbestos

Source: 49 FR 13661, Apr. 5, 1984, unless otherwise noted.

§ 61.140 Applicability.

The provisions of this subpart are applicable to those sources specified in §§61.142 through 61.151, 61.154, and 61.155.

[55 FR 48414, Nov. 20, 1990]

§ 61.141 Definitions.

All terms that are used in this subpart and are not defined below are given the same meaning as in the Act and in subpart A of this part.

Active waste disposal site means any disposal site other than an inactive site.

Adequately wet means sufficiently mix or penetrate with liquid to prevent the release of particulates. If visible emissions are observed coming from asbestos-containing material, then that material has not been adequately wetted. However, the absence of visible emissions is not sufficient evidence of being adequately wet.

Asbestos means the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite.

Asbestos-containing waste materials means mill tailings or any waste that contains commercial asbestos and is generated by a source subject to the provisions of this subpart. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing material waste and materials contaminated with asbestos including disposable equipment and clothing.

Asbestos mill means any facility engaged in converting, or in any intermediate step in converting, asbestos ore into commercial asbestos. Outside storage of asbestos material is not considered a part of the asbestos mill.

Asbestos tailings means any solid waste that contains asbestos and is a product of asbestos mining or milling operations.

Asbestos waste from control devices means any waste material that contains asbestos and is collected by a pollution control device.

Category I nonfriable asbestos-containing material (ACM) means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy.

Category II nonfriable ACM means any material, excluding Category I nonfriable ACM, containing more than 1 percent asbestos as determined using the methods specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Commercial asbestos means any material containing asbestos that is extracted from ore and has value because of its asbestos content.

Cutting means to penetrate with a sharp-edged instrument and includes sawing, but does not include shearing, slicing, or punching.

Demolition means the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.

Emergency renovation operation means a renovation operation that was not planned but results from a sudden, unexpected event that, if not immediately attended to, presents a safety or public health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden. This term includes operations necessitated by nonroutine failures of equipment.

Fabricating means any processing (*e.g.,* cutting, sawing, drilling) of a manufactured product that contains commercial asbestos, with the exception of processing at temporary sites (field fabricating) for the construction or restoration of facilities. In the case of friction products, fabricating includes bonding, debonding, grinding, sawing, drilling, or other similar operations performed as part of fabricating.

Facility means any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function.

Facility component means any part of a facility including equipment.

Friable asbestos material means any material containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. If the asbestos content is less than 10 percent as determined by a method other than point counting by polarized light microscopy (PLM), verify the asbestos content by point counting using PLM.

Fugitive source means any source of emissions not controlled by an air pollution control device.

Glove bag means a sealed compartment with attached inner gloves used for the handling of asbestos-containing materials. Properly installed and used, glove bags provide a small work area enclosure typically used for small-scale asbestos stripping operations. Information on glove-bag installation, equipment and supplies, and work practices is contained in the Occupational Safety and Health Administration's (OSHA's) final rule on occupational exposure to asbestos (appendix G to 29 CFR 1926.58).

Grinding means to reduce to powder or small fragments and includes mechanical chipping or drilling.

In poor condition means the binding of the material is losing its integrity as indicated by peeling, cracking, or crumbling of the material.

Inactive waste disposal site means any disposal site or portion of it where additional asbestos-containing waste material has not been deposited within the past year.

Installation means any building or structure or any group of buildings or structures at a single demolition or renovation site that are under the control of the same owner or operator (or owner or operator under common control).

Leak-tight means that solids or liquids cannot escape or spill out. It also means dust-tight.

Malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner so that emissions of asbestos are increased. Failures of equipment shall not be considered malfunctions if they are caused in any way by poor maintenance, careless operation, or any other preventable upset conditions, equipment breakdown, or process failure.

Manufacturing means the combining of commercial asbestos-or, in the case of woven friction products, the combining of textiles containing commercial asbestos-with any other material(s), including commercial asbestos, and the processing of this combination into a product. Chlorine production is considered a part of manufacturing.

Natural barrier means a natural object that effectively precludes or deters access. Natural barriers include physical obstacles such as cliffs, lakes or other large bodies of water, deep and wide ravines, and mountains. Remoteness by itself is not a natural barrier.

Nonfriable asbestos-containing material means any material containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Nonscheduled renovation operation means a renovation operation necessitated by the routine failure of equipment, which is expected to occur within a given period based on past operating experience, but for which an exact date cannot be predicted.

Outside air means the air outside buildings and structures, including, but not limited to, the air under a bridge or in an open air ferry dock.

Owner or operator of a demolition or renovation activity means any person who owns, leases, operates, controls, or supervises the facility being demolished or renovated or any person who owns, leases, operates, controls, or supervises the demolition or renovation operation, or both.

Particulate asbestos material means finely divided particles of asbestos or material containing asbestos.

Planned renovation operations means a renovation operation, or a number of such operations, in which some RACM will be removed or stripped within a given period of time and that can be predicted. Individual nonscheduled operations are included if a number of such operations can be predicted to occur during a given period of time based on operating experience.

Regulated asbestos-containing material (RACM) means (a) Friable asbestos material, (b) Category I nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

Remove means to take out RACM or facility components that contain or are covered with RACM from any facility.

Renovation means altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component. Operations in which load-supporting structural members are wrecked or taken out are demolitions.

Resilient floor covering means asbestos-containing floor tile, including asphalt and vinyl floor tile, and sheet vinyl floor covering containing more than 1 percent asbestos as determined using polarized light microscopy according to the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy.

Roadways means surfaces on which vehicles travel. This term includes public and private highways, roads, streets, parking areas, and driveways.

Strip means to take off RACM from any part of a facility or facility components.

Structural member means any load-supporting member of a facility, such as beams and load supporting walls; or any nonload-supporting member, such as ceilings and nonload-supporting walls.

Visible emissions means any emissions, which are visually detectable without the aid of instruments, coming from RACM or asbestos-containing waste material, or from any asbestos milling, manufacturing, or fabricating operation. This does not include condensed, uncombined water vapor.

Waste generator means any owner or operator of a source covered by this subpart whose act or process produces asbestos-containing waste material.

Waste shipment record means the shipping document, required to be originated and signed by the waste generator, used to track and substantiate the disposition of asbestos-containing waste material.

Working day means Monday through Friday and includes holidays that fall on any of the days Monday through Friday.

[49 FR 13661, Apr. 5, 1984; 49 FR 25453, June 21, 1984, as amended by 55 FR 48414, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991; 60 FR 31920, June 19, 1995]

§ 61.142 Standard for asbestos mills.

(a) Each owner or operator of an asbestos mill shall either discharge no visible emissions to the outside air from that asbestos mill, including fugitive sources, or use the methods specified by §61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(b) Each owner or operator of an asbestos mill shall meet the following requirements:

(1) Monitor each potential source of asbestos emissions from any part of the mill facility, including air cleaning devices, process equipment, and buildings that house equipment for material processing and handling, at least once each day, during daylight hours, for visible emissions to the outside air during periods of operation. The monitoring shall be by visual observation of at least 15 seconds duration per source of emissions.

(2) Inspect each air cleaning device at least once each week for proper operation and for changes that signal the potential for malfunction, including, to the maximum extent possible without dismantling other than opening the device, the presence of tears, holes, and abrasions in filter bags and for dust deposits on the clean side of bags. For air cleaning devices that cannot be inspected on a weekly basis according to this paragraph, submit to the Administrator, and revise as necessary, a written maintenance plan to include, at a minimum, the following:

(i) Maintenance schedule.

(ii) Recordkeeping plan.

(3) Maintain records of the results of visible emissions monitoring and air cleaning device inspections using a format similar to that shown in Figures 1 and 2 and include the following:

(i) Date and time of each inspection.

(ii) Presence or absence of visible emissions.

(iii) Condition of fabric filters, including presence of any tears, holes, and abrasions.

(iv) Presence of dust deposits on clean side of fabric filters.

(v) Brief description of corrective actions taken, including date and time.

(vi) Daily hours of operation for each air cleaning device.

(4) Furnish upon request, and make available at the affected facility during normal business hours for inspection by the Administrator, all records required under this section.

(5) Retain a copy of all monitoring and inspection records for at least 2 years.

(6) Submit semiannually a copy of visible emission monitoring records to the Administrator if visible emissions occurred during the report period. Semiannual reports shall be postmarked by the 30th day following the end of the six-month period.

Date of inspection (mo/day/yr)	Time of inspection (a.m./p.m.)	Air cleaning device or fugitive source designation or number	Visible emissions observed (yes/no), corrective action taken	Daily operating hours	Inspector's initials

Figure 1. Record of Visible Emission Monitoring

1. Air cleaning device designation or number _____
2. Date of inspection _____ _____ _____ _____
3. Time of inspection _____ _____ _____ _____
4. Is air cleaning device operating properly (yes/no) _____ _____ _____ _____
5. Tears, holes, or abrasions in fabric filter (yes/no) _____ _____ _____ _____
6. Dust on clean side of fabric filters (yes/no) _____ _____ _____ _____
7. Other signs of malfunctions or potential malfunctions (yes/no) _____ _____ _____ _____
8. Describe other malfunctions or signs of potential malfunctions. _____
9. Describe corrective action(s) taken. _____
10. Date and time corrective action taken _____ _____ _____ _____
11. Inspected by

(Print/Type Name)	(Title)	(Signature)	(Date)
(Print/Type Name)	(Title)	(Signature)	(Date)

Figure 2. Air Cleaning Device Inspection Checklist

[55 FR 48416, Nov. 20, 1990, as amended at 64 FR 7467, Feb. 12, 1999]

§ 61.143 Standard for roadways.

No person may construct or maintain a roadway with asbestos tailings or asbestos-containing waste material on that roadway, unless, for asbestos tailings.

(a) It is a temporary roadway on an area of asbestos ore deposits (asbestos mine): or

(b) It is a temporary roadway at an active asbestos mill site and is encapsulated with a resinous or bituminous binder. The encapsulated road surface must be maintained at a minimum frequency of once per year to prevent dust emissions; or

(c) It is encapsulated in asphalt concrete meeting the specifications contained in section 401 of Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects, FP–85, 1985, or their equivalent.

[55 FR 48419, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

§ 61.144 Standard for manufacturing.

(a) *Applicability.* This section applies to the following manufacturing operations using commercial asbestos.

(1) The manufacture of cloth, cord, wicks, tubing, tape, twine, rope, thread, yarn, roving, lap, or other textile materials.

(2) The manufacture of cement products.

(3) The manufacture of fireproofing and insulating materials.

(4) The manufacture of friction products.

(5) The manufacture of paper, millboard, and felt.

(6) The manufacture of floor tile.

(7) The manufacture of paints, coatings, caulks, adhesives, and sealants.

(8) The manufacture of plastics and rubber materials.

(9) The manufacture of chlorine utilizing asbestos diaphragm technology.

(10) The manufacture of shotgun shell wads.

(11) The manufacture of asphalt concrete.

(b) *Standard.* Each owner or operator of any of the manufacturing operations to which this section applies shall either:

(1) Discharge no visible emissions to the outside air from these operations or from any building or structure in which they are conducted or from any other fugitive sources; or

(2) Use the methods specified by §61.152 to clean emissions from these operations containing particulate asbestos material before they escape to, or are vented to, the outside air.

(3) Monitor each potential source of asbestos emissions from any part of the manufacturing facility, including air cleaning devices, process equipment, and buildings housing material processing and handling equipment, at least once each day during daylight hours for visible emissions to the outside air during periods of operation. The monitoring shall be by visual observation of at least 15 seconds duration per source of emissions.

(4) Inspect each air cleaning device at least once each week for proper operation and for changes that signal the potential for malfunctions, including, to the maximum extent possible without dismantling other than opening the device, the presence of tears, holes, and abrasions in filter bags and for dust deposits on the clean side of bags. For air cleaning devices that cannot be inspected on a weekly basis according to this paragraph, submit to the Administrator, and revise as necessary, a written maintenance plan to include, at a minimum, the following:

(i) Maintenance schedule.

(ii) Recordkeeping plan.

(5) Maintain records of the results of visible emission monitoring and air cleaning device inspections using a format similar to that shown in Figures 1 and 2 and include the following.

(i) Date and time of each inspection.

(ii) Presence or absence of visible emissions.

(iii) Condition of fabric filters, including presence of any tears, holes and abrasions.

(iv) Presence of dust deposits on clean side of fabric filters.

(v) Brief description of corrective actions taken, including date and time.

(vi) Daily hours of operation for each air cleaning device.

(6) Furnish upon request, and make available at the affected facility during normal business hours for inspection by the Administrator, all records required under this section.

(7) Retain a copy of all monitoring and inspection records for at least 2 years.

(8) Submit semiannually a copy of the visible emission monitoring records to the Administrator if visible emission occurred during the report period. Semiannual reports shall be postmarked by the 30th day following the end of the six-month period.

[49 FR 13661, Apr. 5, 1984, as amended at 55 FR 48419, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991; 64 FR 7467, Feb. 12, 1999]

§ 61.145 Standard for demolition and renovation.

(a) *Applicability.* To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation

operation will occur for the presence of asbestos, including Category I and Category II nonfriable ACM. The requirements of paragraphs (b) and (c) of this section apply to each owner or operator of a demolition or renovation activity, including the removal of RACM as follows:

(1) In a facility being demolished, all the requirements of paragraphs (b) and (c) of this section apply, except as provided in paragraph (a)(3) of this section, if the combined amount of RACM is

(i) At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components, or

(ii) At least 1 cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously.

(2) In a facility being demolished, only the notification requirements of paragraphs (b)(1), (2), (3)(i) and (iv), and (4)(i) through (vii) and (4)(ix) and (xvi) of this section apply, if the combined amount of RACM is

(i) Less than 80 linear meters (260 linear feet) on pipes and less than 15 square meters (160 square feet) on other facility components, and

(ii) Less than one cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously or there is no asbestos.

(3) If the facility is being demolished under an order of a State or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse, only the requirements of paragraphs (b)(1), (b)(2), (b)(3)(iii), (b)(4) (except (b)(4)(viii)), (b)(5), and (c)(4) through (c)(9) of this section apply.

(4) In a facility being renovated, including any individual nonscheduled renovation operation, all the requirements of paragraphs (b) and (c) of this section apply if the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is

(i) At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components, or

(ii) At least 1 cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously.

(iii) To determine whether paragraph (a)(4) of this section applies to planned renovation operations involving individual nonscheduled operations, predict the combined additive amount of RACM to be removed or stripped during a calendar year of January 1 through December 31.

(iv) To determine whether paragraph (a)(4) of this section applies to emergency renovation operations, estimate the combined amount of RACM to be removed or stripped as a result of the sudden, unexpected event that necessitated the renovation.

(5) Owners or operators of demolition and renovation operations are exempt from the requirements of §§61.05(a), 61.07, and 61.09.

(b) *Notification requirements.* Each owner or operator of a demolition or renovation activity to which this section applies shall:

(1) Provide the Administrator with written notice of intention to demolish or renovate. Delivery of the notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(2) Update notice, as necessary, including when the amount of asbestos affected changes by at least 20 percent.

(3) Postmark or deliver the notice as follows:

(i) At least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), if the operation is described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section. If the operation is as described in paragraph (a)(2) of this section, notification is required 10 working days before demolition begins.

(ii) At least 10 working days before the end of the calendar year preceding the year for which notice is being given for renovations described in paragraph (a)(4)(iii) of this section.

(iii) As early as possible before, but not later than, the following working day if the operation is a demolition ordered according to paragraph (a)(3) of this section or, if the operation is a renovation described in paragraph (a)(4)(iv) of this section.

(iv) For asbestos stripping or removal work in a demolition or renovation operation, described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section, and for a demolition described in paragraph (a)(2) of this section, that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator as follows:

(A) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin after the date contained in the notice,

(*1*) Notify the Administrator of the new start date by telephone as soon as possible before the original start date, and

(*2*) Provide the Administrator with a written notice of the new start date as soon as possible before, and no later than, the original start date. Delivery of the updated notice by the U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(B) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin on a date earlier than the original start date,

(*1*) Provide the Administrator with a written notice of the new start date at least 10 working days before asbestos stripping or removal work begins.

(*2*) For demolitions covered by paragraph (a)(2) of this section, provide the Administrator written notice of a new start date at least 10 working days before commencement of demolition. Delivery of updated notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(C) In no event shall an operation covered by this paragraph begin on a date other than the date contained in the written notice of the new start date.

(4) Include the following in the notice:

(i) An indication of whether the notice is the original or a revised notification.

(ii) Name, address, and telephone number of both the facility owner and operator and the asbestos removal contractor owner or operator.

(iii) Type of operation: demolition or renovation.

(iv) Description of the facility or affected part of the facility including the size (square meters [square feet] and number of floors), age, and present and prior use of the facility.

(v) Procedure, including analytical methods, employed to detect the presence of RACM and Category I and Category II nonfriable ACM.

(vi) Estimate of the approximate amount of RACM to be removed from the facility in terms of length of pipe in linear meters (linear feet), surface area in square meters (square feet) on other facility components, or volume in cubic meters (cubic feet) if off the facility components. Also, estimate the approximate amount of Category I and Category II nonfriable ACM in the affected part of the facility that will not be removed before demolition.

(vii) Location and street address (including building number or name and floor or room number, if appropriate), city, county, and state, of the facility being demolished or renovated.

(viii) Scheduled starting and completion dates of asbestos removal work (or any other activity, such as site preparation that would break up, dislodge, or similarly disturb asbestos material) in a demolition or renovation; planned renovation operations involving individual nonscheduled operations shall only include the beginning and ending dates of the report period as described in paragraph (a)(4)(iii) of this section.

(ix) Scheduled starting and completion dates of demolition or renovation.

(x) Description of planned demolition or renovation work to be performed and method(s) to be employed, including demolition or renovation techniques to be used and description of affected facility components.

(xi) Description of work practices and engineering controls to be used to comply with the requirements of this subpart, including asbestos removal and waste-handling emission control procedures.

(xii) Name and location of the waste disposal site where the asbestos-containing waste material will be deposited.

(xiii) A certification that at least one person trained as required by paragraph (c)(8) of this section will supervise the stripping and removal described by this notification. This requirement shall become effective 1 year after promulgation of this regulation.

(xiv) For facilities described in paragraph (a)(3) of this section, the name, title, and authority of the State or local government representative who has ordered the demolition, the date that the order was issued, and the date on which the demolition was ordered to begin. A copy of the order shall be attached to the notification.

(xv) For emergency renovations described in paragraph (a)(4)(iv) of this section, the date and hour that the emergency occurred, a description of the sudden, unexpected event, and an explanation of how the event caused an unsafe condition, or would cause equipment damage or an unreasonable financial burden.

(xvi) Description of procedures to be followed in the event that unexpected RACM is found or Category II nonfriable ACM becomes crumbled, pulverized, or reduced to powder.

(xvii) Name, address, and telephone number of the waste transporter.

(5) The information required in paragraph (b)(4) of this section must be reported using a form similiar to that shown in Figure 3.

(c) *Procedures for asbestos emission control.* Each owner or operator of a demolition or renovation activity to whom this paragraph applies, according to paragraph (a) of this section, shall comply with the following procedures:

(1) Remove all RACM from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal. RACM need not be removed before demolition if:

(i) It is Category I nonfriable ACM that is not in poor condition and is not friable.

(ii) It is on a facility component that is encased in concrete or other similarly hard material and is adequately wet whenever exposed during demolition; or

(iii) It was not accessible for testing and was, therefore, not discovered until after demolition began and, as a result of the demolition, the material cannot be safely removed. If not removed for safety reasons, the exposed RACM and any asbestos-contaminated debris must be treated as asbestos-containing waste material and adequately wet at all times until disposed of.

(iv) They are Category II nonfriable ACM and the probability is low that the materials will become crumbled, pulverized, or reduced to powder during demolition.

(2) When a facility component that contains, is covered with, or is coated with RACM is being taken out of the facility as a unit or in sections:

(i) Adequately wet all RACM exposed during cutting or disjoining operations; and

(ii) Carefully lower each unit or section to the floor and to ground level, not dropping, throwing, sliding, or otherwise damaging or disturbing the RACM.

(3) When RACM is stripped from a facility component while it remains in place in the facility, adequately wet the RACM during the stripping operation.

(i) In renovation operations, wetting is not required if:

(A) The owner or operator has obtained prior written approval from the Administrator based on a written application that wetting to comply with this paragraph would unavoidably damage equipment or present a safety hazard; and

(B) The owner or operator uses of the following emission control methods:

(*1*) A local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping and removal of the asbestos materials. The system must exhibit no visible emissions to the outside air or be designed and operated in accordance with the requirements in §61.152.

(*2*) A glove-bag system designed and operated to contain the particulate asbestos material produced by the stripping of the asbestos materials.

(*3*) Leak-tight wrapping to contain all RACM prior to dismantlement.

(ii) In renovation operations where wetting would result in equipment damage or a safety hazard, and the methods allowed in paragraph (c)(3)(i) of this section cannot be used, another method may be used after obtaining written approval from the Administrator based upon a determination that it is equivalent to wetting in controlling emissions or to the methods allowed in paragraph (c)(3)(i) of this section.

(iii) A copy of the Administrator's written approval shall be kept at the worksite and made available for inspection.

(4) After a facility component covered with, coated with, or containing RACM has been taken out of the facility as a unit or in sections pursuant to paragraph (c)(2) of this section, it shall be stripped or contained in leak-tight wrapping, except as described in paragraph (c)(5) of this section. If stripped, either:

(i) Adequately wet the RACM during stripping; or

(ii) Use a local exhaust ventilation and collection system designed and operated to capture the particulate asbestos material produced by the stripping. The system must exhibit no visible emissions to the outside air or be designed and operated in accordance with the requirements in §61.152.

(5) For large facility components such as reactor vessels, large tanks, and steam generators, but not beams (which must be handled in accordance with paragraphs (c)(2), (3), and (4) of this section), the RACM is not required to be stripped if the following requirements are met:

(i) The component is removed, transported, stored, disposed of, or reused without disturbing or damaging the RACM.

(ii) The component is encased in a leak-tight wrapping.

(iii) The leak-tight wrapping is labeled according to §61.149(d)(1)(i), (ii), and (iii) during all loading and unloading operations and during storage.

(6) For all RACM, including material that has been removed or stripped:

(i) Adequately wet the material and ensure that it remains wet until collected and contained or treated in preparation for disposal in accordance with §61.150; and

(ii) Carefully lower the material to the ground and floor, not dropping, throwing, sliding, or otherwise damaging or disturbing the material.

(iii) Transport the material to the ground via leak-tight chutes or containers if it has been removed or stripped more than 50 feet above ground level and was not removed as units or in sections.

(iv) RACM contained in leak-tight wrapping that has been removed in accordance with paragraphs (c)(4) and (c)(3)(i)(B)(*3*) of this section need not be wetted.

(7) When the temperature at the point of wetting is below 0 °C (32 °F):

(i) The owner or operator need not comply with paragraph (c)(2)(i) and the wetting provisions of paragraph (c)(3) of this section.

(ii) The owner or operator shall remove facility components containing, coated with, or covered with RACM as units or in sections to the maximum extent possible.

(iii) During periods when wetting operations are suspended due to freezing temperatures, the owner or operator must record the temperature in the area containing the facility components at the beginning, middle, and end of each workday and keep daily temperature records available for inspection by the Administrator during normal business hours at the demolition or renovation site. The owner or operator shall retain the temperature records for at least 2 years.

(8) Effective 1 year after promulgation of this regulation, no RACM shall be stripped, removed, or otherwise handled or disturbed at a facility regulated by this section unless at least one on-site representative, such as a foreman or management-level person or other authorized representative, trained in the provisions of this regulation and the means of complying with them, is present. Every 2 years, the trained on-site individual shall receive refresher training in the provisions of this regulation. The required training shall include as a minimum: applicability; notifications; material identification; control procedures for removals including, at least, wetting, local exhaust ventilation, negative pressure enclosures, glove-bag procedures, and High Efficiency Particulate Air (HEPA) filters; waste disposal work practices; reporting and recordkeeping; and asbestos hazards and worker protection. Evidence that the required training has been completed shall be posted and made available for inspection by the Administrator at the demolition or renovation site.

(9) For facilities described in paragraph (a)(3) of this section, adequately wet the portion of the facility that contains RACM during the wrecking operation.

(10) If a facility is demolished by intentional burning, all RACM including Category I and Category II nonfriable ACM must be removed in accordance with the NESHAP before burning.

NOTIFICATION OF DEMOLITION AND RENOVATION

Operator Project #	Postmark	Date Received	Notification #
I. TYPE OF NOTIFICATION (O=Original R=Revised C=Cancelled):			
II. FACILITY INFORMATION (Identify owner, removal contractor, and other operator)			
OWNER NAME:			
Address:			
City:	State:	Zip:	
Contact:		Tel:	
REMOVAL CONTRACTOR:			
Address:			
City:	State:	Zip:	
Contact:		Tel:	
OTHER OPERATOR:			
Address:			
City:	State:	Zip:	
Contact:		Tel:	
III. TYPE OF OPERATION (D=Demo O=Ordered Demo R=Renovation E=Emer.Renovation):			
IV. IS ASBESTOS PRESENT? (Yes/No)			
V. FACILITY DESCRIPTION (Include building name, number and floor or room number)			
Bldg Name:			
Address:			
City:	State:	County:	
Site Location:			
Building Size:	# of Floors:	Age in Years:	
Present Use:	Prior Use:		
VI. PROCEDURE, INCLUDING ANALYTICAL METHOD, IF APPROPRIATE, USED TO DETECT THE PRESENCE OF ASBESTOS MATERIAL:			

VII. APPROXIMATE AMOUNT OF ASBESTOS, INCLUDING: 1. Regulated ACM to be removed 2. Category I ACM Not Removed 3. Category II ACM Not Removed	RACM TO Be Removed	Nonfriable Asbestos Material Not To Be Removed		Indicate Unit of Measurement Below	
		Cat I	Cat II	UNIT	
Pipes				LnFt:	Ln M:
Surface Area				SqFt:	Sq M:
Vol RACM Off Facility Component				CuFt:	Cu M:

VIII. SCHEDULED DATES ASBESTOS REMOVAL (MM/DD/YY) Start:	Complete:
IX. SCHEDULED DATES DEMO/RENOVATION (MM/DD/YY) Start:	Complete:

Continued on page two

Figure 3. Notification of Demolition and Renovation

NOTIFICATION OF DEMOLITION AND RENOVATION (continued)

X. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHOD(S) TO BE USED:

XI. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE DEMOLITION AND RENOVATION SITE:

XII. WASTE TRANSPORTER #1

Name:

Address

City:	State:	Zip:
Contact Person:		Telephone:

WASTE TRANSPORTER #2

Name:

Address:

City:	State:	Zip:
Contact Person:		Telephone:

XIII. WASTE DISPOSAL SITE

Name:

Location:

City:	State:	Zip:

Telephone:

XIV. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY, PLEASE IDENTIFY THE AGENCY BELOW:

Name:	Title:

Authority:

Date of Order (MM/DD/YY):	Date Ordered to Begin (MM/DD/YY):

XV. FOR EMERGENCY RENOVATIONS:

Date and Hour of Emergency (MM/DD/YY):

Description of the sudden, unexpected event:

Explanation of how the event caused unsafe conditions or would cause equipment damage or an unreasonable financial burden:

XVI. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFRIABLE ASBESTOS MATERIAL BECOMES CRUMBLED, PULVERIZED, OR REDUCED TO POWDER.

XVI. I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT THE REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION DURING NORMAL BUSINESS HOURS. (Required 1 year after promulgation)

(Signature of Owner/Operator) (Date)

XVII. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT.

(Signature of Owner/Operator) (Date)

Figure 3. Notification of Demolition and Renovation

[55 FR 48419, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

§ 61.146 Standard for spraying.

The owner or operator of an operation in which asbestos-containing materials are spray applied shall comply with the following requirements:

(a) For spray-on application on buildings, structures, pipes, and conduits, do not use material containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, except as provided in paragraph (c) of this section.

(b) For spray-on application of materials that contain more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy, on equipment and machinery, except as provided in paragraph (c) of this section:

(1) Notify the Administrator at least 20 days before beginning the spraying operation. Include the following information in the notice:

(i) Name and address of owner or operator.

(ii) Location of spraying operation.

(iii) Procedures to be followed to meet the requirements of this paragraph.

(2) Discharge no visible emissions to the outside air from spray-on application of the asbestos-containing material or use the methods specified by §61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(c) The requirements of paragraphs (a) and (b) of this section do not apply to the spray-on application of materials where the asbestos fibers in the materials are encapsulated with a bituminous or resinous binder during spraying and the materials are not friable after drying.

(d) Owners or operators of sources subject to this paragraph are exempt from the requirements of §§61.05(a), 61.07 and 61.09.

[49 FR 13661, Apr. 5, 1984. Redesignated and amended at 55 FR 48424, Nov. 20, 1990; 60 FR 31920, June 19, 1995]

§ 61.147 Standard for fabricating.

(a) *Applicability.* This section applies to the following fabricating operations using commercial asbestos:

(1) The fabrication of cement building products.

(2) The fabrication of friction products, except those operations that primarily install asbestos friction materials on motor vehicles.

(3) The fabrication of cement or silicate board for ventilation hoods; ovens; electrical panels; laboratory furniture, bulkheads, partitions, and ceilings for marine construction; and flow control devices for the molten metal industry.

(b) *Standard.* Each owner or operator of any of the fabricating operations to which this section applies shall either:

(1) Discharge no visible emissions to the outside air from any of the operations or from any building or structure in which they are conducted or from any other fugitive sources; or

(2) Use the methods specified by §61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(3) Monitor each potential source of asbestos emissions from any part of the fabricating facility, including air cleaning devices, process equipment, and buildings that house equipment for material processing and handling, at least once each day, during daylight hours, for visible emissions to the outside air during periods of operation. The monitoring shall be by visual observation of at least 15 seconds duration per source of emissions.

(4) Inspect each air cleaning device at least once each week for proper operation and for changes that signal the potential for malfunctions, including, to the maximum extent possible without dismantling other than opening the device, the presence of tears, holes, and abrasions in filter bags and for dust deposits on the clean side of bags. For air cleaning devices that cannot be inspected on a weekly basis according to this paragraph, submit to the Administrator, and revise as necessary, a written maintenance plan to include, at a minimum, the following:

(i) Maintenance schedule.

(ii) Recordkeeping plan.

(5) Maintain records of the results of visible emission monitoring and air cleaning device inspections using a format similar to that shown in Figures 1 and 2 and include the following:

(i) Date and time of each inspection.

(ii) Presence or absence of visible emissions.

(iii) Condition of fabric filters, including presence of any tears, holes, and abrasions.

(iv) Presence of dust deposits on clean side of fabric filters.

(v) Brief description of corrective actions taken, including date and time.

(vi) Daily hours of operation for each air cleaning device.

(6) Furnish upon request and make available at the affected facility during normal business hours for inspection by the Administrator, all records required under this section.

(7) Retain a copy of all monitoring and inspection records for at least 2 years.

(8) Submit semiannually a copy of the visible emission monitoring records to the Administrator if visible emission occurred during the report period. Semiannual reports shall be postmarked by the 30th day following the end of the six-month period.

[49 FR 13661, Apr. 5, 1984. Redesignated and amended at 55 FR 48424, Nov. 20, 1991; 64 FR 7467, Feb. 12, 1999]

§ 61.148 Standard for insulating materials.

No owner or operator of a facility may install or reinstall on a facility component any insulating materials that contain commercial asbestos if the materials are either molded and friable or wet-applied and friable after drying. The provisions of this section do not apply to spray-applied insulating materials regulated under §61.146.

[55 FR 48424, Nov. 20, 1990]

§ 61.149 Standard for waste disposal for asbestos mills.

Each owner or operator of any source covered under the provisions of §61.142 shall:

(a) Deposit all asbestos-containing waste material at a waste disposal site operated in accordance with the provisions of §61.154; and

(b) Discharge no visible emissions to the outside air from the transfer of control device asbestos waste to the tailings conveyor, or use the methods specified by §61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air. Dispose of the asbestos waste from control devices in accordance with §61.150(a) or paragraph (c) of this section; and

(c) Discharge no visible emissions to the outside air during the collection, processing, packaging, or on-site transporting of any asbestos-containing waste material, or use one of the disposal methods specified in paragraphs (c) (1) or (2) of this section, as follows:

(1) Use a wetting agent as follows:

(i) Adequately mix all asbestos-containing waste material with a wetting agent recommended by the manufacturer of the agent to effectively wet dust and tailings, before depositing the material at a waste disposal site. Use the agent as recommended for the particular dust by the manufacturer of the agent.

(ii) Discharge no visible emissions to the outside air from the wetting operation or use the methods specified by §61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(iii) Wetting may be suspended when the ambient temperature at the waste disposal site is less than −9.5 °C (15 °F), as determined by an appropriate measurement method with an accuracy of ±1 °C (±2 °F). During periods when wetting operations are suspended, the temperature must be recorded at least at hourly intervals, and records must be retained for at least 2 years in a form suitable for inspection.

(2) Use an alternative emission control and waste treatment method that has received prior written approval by the Administrator. To obtain approval for an alternative method, a written application must be submitted to the Administrator demonstrating that the following criteria are met:

(i) The alternative method will control asbestos emissions equivalent to currently required methods.

(ii) The suitability of the alternative method for the intended application.

(iii) The alternative method will not violate other regulations.

(iv) The alternative method will not result in increased water pollution, land pollution, or occupational hazards.

(d) When waste is transported by vehicle to a disposal site:

(1) Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of the waste so that the signs are visible. The markings must:

(i) Be displayed in such a manner and location that a person can easily read the legend.

(ii) Conform to the requirements for 51 cm × 36 cm (20 in × 14 in) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and

(iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	**Notation**
Asbestos Waste Disposal Site	2.5 cm (1 inch) Sans Serif, Gothic or Block.
Do Not Create Dust	1.9 cm (3/4 inch) Sans Serif, Gothic or Block.
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic

Spacing between any two lines must be a least equal to the height of the upper of the two lines.

(2) For off-site disposal, provide a copy of the waste shipment record, described in paragraph (e)(1) of this section, to the disposal site owner or operator at the same time as the asbestos-containing waste material is delivered to the disposal site.

(e) For all asbestos-containing waste material transported off the facility site:

(1) Maintain asbestos waste shipment records, using a form similar to that shown in Figure 4, and include the following information:

(i) The name, address, and telephone number of the waste generator.

(ii) The name and address of the local, State, or EPA Regional agency responsible for administering the asbestos NESHAP program.

(iii) The quantity of the asbestos-containing waste material in cubic meters (cubic yards).

(iv) The name and telephone number of the disposal site operator.

(v) The name and physical site location of the disposal site.

(vi) The date transported.

(vii) The name, address, and telephone number of the transporter(s).

(viii) A certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.

(2) For waste shipments where a copy of the waste shipment record, signed by the owner or operator of the designated disposal site, is not received by the waste generator within 35 days of the date the waste was accepted by the initial transporter, contact the transporter and/or the owner or operator of the designated disposal site to determine the status of the waste shipment.

(3) Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator if a copy of the waste shipment record, signed by the owner or operator of the designated waste disposal site, is not received by the waste generator within 45 days of the date the waste was accepted by the initial transporter. Include in the report the following information:

(i) A copy of the waste shipment record for which a confirmation of delivery was not received, and

(ii) A cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.

(4) Retain a copy of all waste shipment records, including a copy of the waste shipment record signed by the owner or operator of the designated waste disposal site, for at least 2 years.

(f) Furnish upon request, and make available for inspection by the Administrator, all records required under this section.

Generator	1. Work site name and mailing address	Owner's name	Owner's telephone no.
	2. Operator's name and address		Operator's telephone no.
	3. Waste disposal site (WDS) name, mailing address, and physical site location		WDS phone no.
	4. Name, and address of responsible agency		
	5. Description of materials	6. Containers No. Type	7. Total quantity m^3 (yd^3)
	8. Special handling instructions and additional information		
	9. OPERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.		
	Printed/typed name & title	Signature	Month Day Year
Transporter	10. Transporter 1 (Acknowledgment of receipt of materials)		
	Printed/typed name & title Address and telephone no.	Signature	Month Day Year
	11. Transporter 2 (Acknowledgment of receipt of materials)		
	Printed/typed name & title Address and telephone no.	Signature	Month Day Year
Disposal Site	12. Discrepancy indication space		
	13. Waste disposal site owner or operator: Certification of receipt of asbestos materials covered by this manifest except as noted in item 12.		
	Printed/typed name & title	Signature	Month Day Year

(Continued)

Figure 4. Waste Shipment Record

INSTRUCTIONS

Waste Generator Section (Items 1-9)

1. Enter the name of the facility at which asbestos waste is generated and the address where the facility is located. In the appropriate spaces, also enter the name of the owner of the facility and the owner's phone number.

2. If a demolition or renovation, enter the name and address of the company and authorized agent responsible for performing the asbestos removal. In the appropriate spaces, also enter the phone number of the operator.

3. Enter the name, address, and physical site location of the waste disposal site (WDS) that will be receiving the asbestos materials. In the appropriate spaces, also enter the phone number of the WDS. Enter "on-site" if the waste will be disposed of on the generator's property.

4. Provide the name and address of the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program.

5. Indicate the types of asbestos waste materials generated. If from a demolition or renovation, indicate the amount of asbestos that is

   - Friable asbestos material
   - Nonfriable asbestos material

6. Enter the number of containers used to transport the asbestos materials listed in item 5. Also enter one of the following container codes used in transporting each type of asbestos material (specify any other type of container used if not listed below):

   DM - Metal drums, barrels
   DP - Plastic drums, barrels
   BA - 6 mil plastic bags or wrapping

7. Enter the quantities of each type of asbestos material removed in units of cubic meters (cubic yards).

8. Use this space to indicate special transportation, treatment, storage or disposal or Bill of Lading information. If an alternate waste disposal site is designated, note it here. Emergency response telephone numbers or similar information may be included here.

9. The authorized agent of the waste generator must read and then sign and date this certification. The date is the date of receipt by transporter.

NOTE: The waste generator must retain a copy of this form.

(continued)

Figure 4. Waste Shipment Record

Transporter Section (Items 10 & 11)

10. & 11. Enter name, address, and telephone number of each transporter used, if applicable. Print or type the full name and title of person accepting responsibility and acknowledging receipt of materials as listed on this waste shipment record for transport. Enter date of receipt and signature.

NOTE: The transporter must retain a copy of this form.

Disposal Site Section (Items 12 & 13)

12. The authorized representative of the WDS must note in this space any discrepancy between waste described on this manifest and waste actually received as well as any improperly enclosed or contained waste. Any rejected materials should be listed and destination of those materials provided. A site that converts asbestos-containing waste material to nonasbestos material is considered a WDS.

13. The signature (by hand) of the authorized WDS agent indicates acceptance and agreement with statements on this manifest except as noted in item 12. The date is the date of signature and receipt of shipment.

NOTE: The WDS must retain a completed copy of this form. The WDS must also send a completed copy to the operator listed in item 2.

Figure 4. Waste Shipment Record

§ 61.150 Standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations.

Each owner or operator of any source covered under the provisions of §§61.144, 61.145, 61.146, and 61.147 shall comply with the following provisions:

(a) Discharge no visible emissions to the outside air during the collection, processing (including incineration), packaging, or transporting of any asbestos-containing waste material generated by the source, or use one of the emission control and waste treatment methods specified in paragraphs (a) (1) through (4) of this section.

(1) Adequately wet asbestos-containing waste material as follows:

(i) Mix control device asbestos waste to form a slurry; adequately wet other asbestos-containing waste material; and

(ii) Discharge no visible emissions to the outside air from collection, mixing, wetting, and handling operations, or use the methods specified by §61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air; and

(iii) After wetting, seal all asbestos-containing waste material in leak-tight containers while wet; or, for materials that will not fit into containers without additional breaking, put materials into leak-tight wrapping; and

(iv) Label the containers or wrapped materials specified in paragraph (a)(1)(iii) of this section using warning labels specified by Occupational Safety and Health Standards of the Department of Labor, Occupational Safety and Health Administration (OSHA) under 29 CFR 1910.1001(j)(4) or 1926.1101(k)(8). The labels shall be printed in letters of sufficient size and contrast so as to be readily visible and legible.

(v) For asbestos-containing waste material to be transported off the facility site, label containers or wrapped materials with the name of the waste generator and the location at which the waste was generated.

(2) Process asbestos-containing waste material into nonfriable forms as follows:

(i) Form all asbestos-containing waste material into nonfriable pellets or other shapes;

(ii) Discharge no visible emissions to the outside air from collection and processing operations, including incineration, or use the method specified by §61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(3) For facilities demolished where the RACM is not removed prior to demolition according to §§61.145(c)(1) (i), (ii), (iii), and (iv) or for facilities demolished according to §61.145(c)(9), adequately wet asbestos-containing waste material at all times after demolition and keep wet during handling and loading for transport to a disposal site. Asbestos-containing waste materials covered by this paragraph do not have to be sealed in leak-tight containers or wrapping but may be transported and disposed of in bulk.

(4) Use an alternative emission control and waste treatment method that has received prior approval by the Administrator according to the procedure described in §61.149(c)(2).

(5) As applied to demolition and renovation, the requirements of paragraph (a) of this section do not apply to Category I nonfriable ACM waste and Category II nonfriable ACM waste that did not become crumbled, pulverized, or reduced to powder.

(b) All asbestos-containing waste material shall be deposited as soon as is practical by the waste generator at:

(1) A waste disposal site operated in accordance with the provisions of §61.154, or

(2) An EPA-approved site that converts RACM and asbestos-containing waste material into nonasbestos (asbestos-free) material according to the provisions of §61.155.

(3) The requirements of paragraph (b) of this section do not apply to Category I nonfriable ACM that is not RACM.

(c) Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of waste so that the signs are visible. The markings must conform to the requirements of §§61.149(d)(1) (i), (ii), and (iii).

(d) For all asbestos-containing waste material transported off the facility site:

(1) Maintain waste shipment records, using a form similar to that shown in Figure 4, and include the following information:

(i) The name, address, and telephone number of the waste generator.

(ii) The name and address of the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program.

(iii) The approximate quantity in cubic meters (cubic yards).

(iv) The name and telephone number of the disposal site operator.

(v) The name and physical site location of the disposal site.

(vi) The date transported.

(vii) The name, address, and telephone number of the transporter(s).

(viii) A certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations.

(2) Provide a copy of the waste shipment record, described in paragraph (d)(1) of this section, to the disposal site owners or operators at the same time as the asbestos-containing waste material is delivered to the disposal site.

(3) For waste shipments where a copy of the waste shipment record, signed by the owner or operator of the designated disposal site, is not received by the waste generator within 35 days of the date the waste was accepted by the initial transporter, contact the transporter and/or the owner or operator of the designated disposal site to determine the status of the waste shipment.

(4) Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator if a copy of the waste shipment record, signed by the owner or operator of the designated waste disposal site, is not received by the waste generator within 45 days of the date the waste was accepted by the initial transporter. Include in the report the following information:

(i) A copy of the waste shipment record for which a confirmation of delivery was not received, and

(ii) A cover letter signed by the waste generator explaining the efforts taken to locate the asbestos waste shipment and the results of those efforts.

(5) Retain a copy of all waste shipment records, including a copy of the waste shipment record signed by the owner or operator of the designated waste disposal site, for at least 2 years.

(e) Furnish upon request, and make available for inspection by the Administrator, all records required under this section.

[55 FR 48429, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991, as amended at 68 FR 54793, Sept. 18, 2003]

§ 61.151 Standard for inactive waste disposal sites for asbestos mills and manufacturing and fabricating operations.

Each owner or operator of any inactive waste disposal site that was operated by sources covered under §61.142, 61.144, or 61.147 and received deposits of asbestos-containing waste material generated by the sources, shall:

(a) Comply with one of the following:

(1) Either discharge no visible emissions to the outside air from an inactive waste disposal site subject to this paragraph; or

(2) Cover the asbestos-containing waste material with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, and grow and maintain a cover of vegetation on the area adequate to prevent exposure of the asbestos-containing waste material. In desert areas where vegetation would be difficult to maintain, at least 8 additional centimeters (3 inches) of well-graded, nonasbestos crushed rock may be placed on top of the final cover instead of vegetation and maintained to prevent emissions; or

(3) Cover the asbestos-containing waste material with at least 60 centimeters (2 feet) of compacted nonasbestos-containing material, and maintain it to prevent exposure of the asbestos-containing waste; or

(4) For inactive waste disposal sites for asbestos tailings, a resinous or petroleum-based dust suppression agent that effectively binds dust to control surface air emissions may be used instead of the methods in paragraphs (a) (1), (2), and (3) of this section. Use the agent in the manner and frequency recommended for the particular asbestos tailings by the manufacturer of the dust suppression agent to achieve and maintain dust control. Obtain prior written approval of the Administrator to use other equally effective dust suppression agents. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent.

(b) Unless a natural barrier adequately deters access by the general public, install and maintain warning signs and fencing as follows, or comply with paragraph (a)(2) or (a)(3) of this section.

(1) Display warning signs at all entrances and at intervals of 100 m (328 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material was deposited. The warning signs must:

(i) Be posted in such a manner and location that a person can easily read the legend; and

(ii) Conform to the requirements for 51 cm×36 cm (20-inch×14-inch) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and

(iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	Notation
Asbestos Waste Disposal Site	2.5 cm (1 inch) Sans Serif, Gothic or Block
Do Not Create Dust	1.9 cm (3/4 inch) Sans Serif, Gothic or Block
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic.

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

(2) Fence the perimeter of the site in a manner adequate to deter access by the general public.

(3) When requesting a determination on whether a natural barrier adequately deters public access, supply information enabling the Administrator to determine whether a fence or a natural barrier adequately deters access by the general public.

(c) The owner or operator may use an alternative control method that has received prior approval of the Administrator rather than comply with the requirements of paragraph (a) or (b) of this section.

(d) Notify the Administrator in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site under this section, and follow the procedures specified in the notification. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice:

(1) Scheduled starting and completion dates.

(2) Reason for disturbing the waste.

(3) Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the Administrator may require changes in the emission control procedures to be used.

(4) Location of any temporary storage site and the final disposal site.

(e) Within 60 days of a site becoming inactive and after the effective date of this subpart, record, in accordance with State law, a notation on the deed to the facility property and on any other instrument that would normally be examined during a title search; this notation will in perpetuity notify any potential purchaser of the property that:

(1) The land has been used for the disposal of asbestos-containing waste material;

(2) The survey plot and record of the location and quantity of asbestos-containing waste disposed of within the disposal site required in §61.154(f) have been filed with the Administrator; and

(3) The site is subject to 40 CFR part 61, subpart M.

[49 FR 13661, Apr. 5, 1984, as amended at 53 FR 36972, Sept. 23, 1988. Redesignated and amended at 55 FR 48429, Nov. 20, 1990]

§ 61.152 Air-cleaning.

(a) The owner or operator who uses air cleaning, as specified in §§61.142(a), 61.144(b)(2), 61.145(c)(3)(i)(B)(*1*), 61.145(c)(4)(ii), 61.145(c)(11)(i), 61.146(b)(2), 61.147(b)(2), 61.149(b), 61.149(c)(1)(ii), 61.150(a)(1)(ii), 61.150(a)(2)(ii), and 61.155(e) shall:

(1) Use fabric filter collection devices, except as noted in paragraph (b) of this section, doing all of the following:

(i) Ensuring that the airflow permeability, as determined by ASTM Method D737–75, does not exceed 9 m^3 /min/m^2 (30 ft^3 /min/ft^2) for woven fabrics or 11^3 /min/m^2 (35 ft^3 /min/ft^2) for felted fabrics, except that 12 m^3 /min/m^2 (40 ft^3 min/ft^2) for woven and 14 m^3 /min/m^2 (45 ft^3 min/ft^2) for felted fabrics is allowed for filtering air from asbestos ore dryers; and

(ii) Ensuring that felted fabric weighs at least 475 grams per square meter (14 ounces per square yard) and is at least 1.6 millimeters (one-sixteenth inch) thick throughout; and

(iii) Avoiding the use of synthetic fabrics that contain fill yarn other than that which is spun.

(2) Properly install, use, operate, and maintain all air-cleaning equipment authorized by this section. Bypass devices may be used only during upset or emergency conditions and then only for so long as it takes to shut down the operation generating the particulate asbestos material.

(3) For fabric filter collection devices installed after January 10, 1989, provide for easy inspection for faulty bags.

(b) There are the following exceptions to paragraph (a)(1):

(1) After January 10, 1989, if the use of fabric creates a fire or explosion hazard, or the Administrator determines that a fabric filter is not feasible, the Administrator may authorize as a substitute the use of wet collectors designed to operate with a unit contacting energy of at least 9.95 kilopascals (40 inches water gage pressure).

(2) Use a HEPA filter that is certified to be at least 99.97 percent efficient for 0.3 micron particles.

(3) The Administrator may authorize the use of filtering equipment other than described in paragraphs (a)(1) and (b)(1) and (2) of this section if the owner or operator demonstrates to the Administrator's satisfaction that it is equivalent to the described equipment in filtering particulate asbestos material.

[49 FR 13661, Apr. 5, 1984; 49 FR 25453, June 21, 1984, as amended at 51 FR 8199, Mar. 10, 1986. Redesignated and amended at 55 FR 48430, Nov. 20, 1990]

§ 61.153 Reporting.

(a) Any new source to which this subpart applies (with the exception of sources subject to §§61.143, 61.145, 61.146, and 61.148), which has an initial startup date preceding the effective date of this revision, shall provide the following information to the Administrator postmarked or delivered within 90 days of the

effective date. In the case of a new source that does not have an initial startup date preceding the effective date, the information shall be provided, postmarked or delivered, within 90 days of the initial startup date. Any owner or operator of an existing source shall provide the following information to the Administrator within 90 days of the effective date of this subpart unless the owner or operator of the existing source has previously provided this information to the Administrator. Any changes in the information provided by any existing source shall be provided to the Administrator, postmarked or delivered, within 30 days after the change.

(1) A description of the emission control equipment used for each process; and

(i) If the fabric device uses a woven fabric, the airflow permeability in m^3 /min/m^2 and; if the fabric is synthetic, whether the fill yarn is spun or not spun; and

(ii) If the fabric filter device uses a felted fabric, the density in g/m^2 , the minimum thickness in inches, and the airflow permeability in m^3 /min/m^2 .

(2) If a fabric filter device is used to control emissions,

(i) The airflow permeability in m^3 /min/m^2 (ft^3 /min/ft^2) if the fabric filter device uses a woven fabric, and, if the fabric is synthetic, whether the fill yarn is spun or not spun; and

(ii) If the fabric filter device uses a felted fabric, the density in g/m^2 (oz/yd^2), the minimum thickness in millimeters (inches), and the airflow permeability in m^3 /min/m^2 (ft^3 /min/ft^2).

(3) If a HEPA filter is used to control emissions, the certified efficiency.

(4) For sources subject to §§61.149 and 61.150:

(i) A brief description of each process that generates asbestos-containing waste material; and

(ii) The average volume of asbestos-containing waste material disposed of, measured in m^3 /day (yd^3 /day); and

(iii) The emission control methods used in all stages of waste disposal; and

(iv) The type of disposal site or incineration site used for ultimate disposal, the name of the site operator, and the name and location of the disposal site.

(5) For sources subject to §§61.151 and 61.154:

(i) A brief description of the site; and

(ii) The method or methods used to comply with the standard, or alternative procedures to be used.

(b) The information required by paragraph (a) of this section must accompany the information required by §61.10. Active waste disposal sites subject to §61.154 shall also comply with this provision. Roadways, demolition and renovation, spraying, and insulating materials are exempted from the requirements of §61.10(a). The information described in this section must be reported using the format of appendix A of this part as a guide.

(Sec. 114. Clean Air Act as amended (42 U.S.C. 7414))

[49 FR 13661, Apr. 5, 1984. Redesignated and amended at 55 FR 48430, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

§ 61.154 Standard for active waste disposal sites.

Each owner or operator of an active waste disposal site that receives asbestos-containing waste material from a source covered under §61.149, 61.150, or 61.155 shall meet the requirements of this section:

(a) Either there must be no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited, or the requirements of paragraph (c) or (d) of this section must be met.

(b) Unless a natural barrier adequately deters access by the general public, either warning signs and fencing must be installed and maintained as follows, or the requirements of paragraph (c)(1) of this section must be met.

(1) Warning signs must be displayed at all entrances and at intervals of 100 m (330 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material is deposited. The warning signs must:

(i) Be posted in such a manner and location that a person can easily read the legend; and

(ii) Conform to the requirements of 51 cm × 36 cm (20-inch×14-inch) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and

(iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	Notation
Asbestos Waste Disposal Site	2.5 cm (1 inch) Sans Serif, Gothic or Block.
Do Not Create Dust	1.9 cm (3/4 inch) Sans Serif, Gothic or Block.
Breathing Asbestos is Hazardous to Your Health	14 Point Gothic.

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

(2) The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public.

(3) Upon request and supply of appropriate information, the Administrator will determine whether a fence or a natural barrier adequately deters access by the general public.

(c) Rather than meet the no visible emission requirement of paragraph (a) of this section, at the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos-containing waste material that has been deposited at the site during the operating day or previous 24-hour period shall:

(1) Be covered with at least 15 centimeters (6 inches) of compacted nonasbestos-containing material, or

(2) Be covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the

particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon prior approval by the Administrator. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent.

(d) Rather than meet the no visible emission requirement of paragraph (a) of this section, use an alternative emissions control method that has received prior written approval by the Administrator according to the procedures described in §61.149(c)(2).

(e) For all asbestos-containing waste material received, the owner or operator of the active waste disposal site shall:

(1) Maintain waste shipment records, using a form similar to that shown in Figure 4, and include the following information:

(i) The name, address, and telephone number of the waste generator.

(ii) The name, address, and telephone number of the transporter(s).

(iii) The quantity of the asbestos-containing waste material in cubic meters (cubic yards).

(iv) The presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the waste shipment record along with the report.

(v) The date of the receipt.

(2) As soon as possible and no longer than 30 days after receipt of the waste, send a copy of the signed waste shipment record to the waste generator.

(3) Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.

(4) Retain a copy of all records and reports required by this paragraph for at least 2 years.

(f) Maintain, until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of asbestos-containing waste material within the disposal site on a map or diagram of the disposal area.

(g) Upon closure, comply with all the provisions of §61.151.

(h) Submit to the Administrator, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities.

(i) Furnish upon request, and make available during normal business hours for inspection by the Administrator, all records required under this section.

(j) Notify the Administrator in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice:

(1) Scheduled starting and completion dates.

(2) Reason for disturbing the waste.

(3) Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the Administrator may require changes in the emission control procedures to be used.

(4) Location of any temporary storage site and the final disposal site.

(Secs. 112 and 301(a) of the Clean Air Act as amended (42 U.S.C. 7412, 7601(a))

[49 FR 13661, Apr. 5, 1990. Redesignated and amended at 55 FR 48431, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

§ 61.155 Standard for operations that convert asbestos-containing waste material into nonasbestos (asbestos-free) material.

Each owner or operator of an operation that converts RACM and asbestos-containing waste material into nonasbestos (asbestos-free) material shall:

(a) Obtain the prior written approval of the Administrator to construct the facility. To obtain approval, the owner or operator shall provide the Administrator with the following information:

(1) Application to construct pursuant to §61.07.

(2) In addition to the information requirements of §61.07(b)(3), a

(i) Description of waste feed handling and temporary storage.

(ii) Description of process operating conditions.

(iii) Description of the handling and temporary storage of the end product.

(iv) Description of the protocol to be followed when analyzing output materials by transmission electron microscopy.

(3) Performance test protocol, including provisions for obtaining information required under paragraph (b) of this section.

(4) The Administrator may require that a demonstration of the process be performed prior to approval of the application to construct.

(b) Conduct a start-up performance test. Test results shall include:

(1) A detailed description of the types and quantities of nonasbestos material, RACM, and asbestos-containing waste material processed, *e.g.,* asbestos cement products, friable asbestos insulation, plaster, wood, plastic, wire, etc. Test feed is to include the full range of materials that will be encountered in actual operation of the process.

(2) Results of analyses, using polarized light microscopy, that document the asbestos content of the wastes processed.

(3) Results of analyses, using transmission electron microscopy, that document that the output materials are free of asbestos. Samples for analysis are to be collected as 8-hour composite samples (one 200-gram (7-ounce) sample per hour), beginning with the initial introduction of RACM or asbestos-containing waste material and continuing until the end of the performance test.

(4) A description of operating parameters, such as temperature and residence time, defining the full range over which the process is expected to operate to produce nonasbestos (asbestos-free) materials. Specify the limits for each operating parameter within which the process will produce nonasbestos (asbestos-free) materials.

(5) The length of the test.

(c) During the initial 90 days of operation,

(1) Continuously monitor and log the operating parameters identified during start-up performance tests that are intended to ensure the production of nonasbestos (asbestos-free) output material.

(2) Monitor input materials to ensure that they are consistent with the test feed materials described during start-up performance tests in paragraph (b)(1) of this section.

(3) Collect and analyze samples, taken as 10-day composite samples (one 200-gram (7-ounce) sample collected every 8 hours of operation) of all output material for the presence of asbestos. Composite samples may be for fewer than 10 days. Transmission electron microscopy (TEM) shall be used to analyze the output material for the presence of asbestos. During the initial 90-day period, all output materials must be stored on-site until analysis shows the material to be asbestos-free or disposed of as asbestos-containing waste material according to §61.150.

(d) After the initial 90 days of operation,

(1) Continuously monitor and record the operating parameters identified during start-up performance testing and any subsequent performance testing. Any output produced during a period of deviation from the range of operating conditions established to ensure the production of nonasbestos (asbestos-free) output materials shall be:

(i) Disposed of as asbestos-containing waste material according to §61.150, or

(ii) Recycled as waste feed during process operation within the established range of operating conditions, or

(iii) Stored temporarily on-site in a leak-tight container until analyzed for asbestos content. Any product material that is not asbestos-free shall be either disposed of as asbestos-containing waste material or recycled as waste feed to the process.

(2) Collect and analyze monthly composite samples (one 200-gram (7-ounce) sample collected every 8 hours of operation) of the output material. Transmission electron microscopy shall be used to analyze the output material for the presence of asbestos.

(e) Discharge no visible emissions to the outside air from any part of the operation, or use the methods specified by §61.152 to clean emissions containing particulate asbestos material before they escape to, or are vented to, the outside air.

(f) Maintain records on-site and include the following information:

(1) Results of start-up performance testing and all subsequent performance testing, including operating parameters, feed characteristic, and analyses of output materials.

(2) Results of the composite analyses required during the initial 90 days of operation under §61.155(c).

(3) Results of the monthly composite analyses required under §61.155(d).

(4) Results of continuous monitoring and logs of process operating parameters required under §61.155 (c) and (d).

(5) The information on waste shipments received as required in §61.154(e).

(6) For output materials where no analyses were performed to determine the presence of asbestos, record the name and location of the purchaser or disposal site to which the output materials were sold or deposited, and the date of sale or disposal.

(7) Retain records required by paragraph (f) of this section for at least 2 years.

(g) Submit the following reports to the Administrator:

(1) A report for each analysis of product composite samples performed during the initial 90 days of operation.

(2) A quarterly report, including the following information concerning activities during each consecutive 3-month period:

(i) Results of analyses of monthly product composite samples.

(ii) A description of any deviation from the operating parameters established during performance testing, the duration of the deviation, and steps taken to correct the deviation.

(iii) Disposition of any product produced during a period of deviation, including whether it was recycled, disposed of as asbestos-containing waste material, or stored temporarily on-site until analyzed for asbestos content.

(iv) The information on waste disposal activities as required in §61.154(f).

(h) Nonasbestos (asbestos-free) output material is not subject to any of the provisions of this subpart. Output materials in which asbestos is detected, or output materials produced when the operating parameters deviated from those established during the start-up performance testing, unless shown by TEM analysis to be asbestos-free, shall be considered to be asbestos-containing waste and shall be handled

and disposed of according to §§61.150 and 61.154 or reprocessed while all of the established operating parameters are being met.

[55 FR 48431, Nov. 20, 1990]

§ 61.156 Cross-reference to other asbestos regulations.

In addition to this subpart, the regulations referenced in Table 1 also apply to asbestos and may be applicable to those sources specified in §§61.142 through 61.151, 61.154, and 61.155 of this subpart. These cross-references are presented for the reader's information and to promote compliance with the cited regulations.

Table 1-Cross-Reference to Other Asbestos Regulations

Agency	CFR citation	Comment
EPA	40 CFR part 763, subpart E	Requires schools to inspect for asbestos and implement response actions and submit asbestos management plans to States. Specifies use of accredited inspectors, air sampling methods, and waste disposal procedures.
	40 CFR part 427	Effluent standards for asbestos manufacturing source categories.
	40 CFR part 763, subpart G	Protects public employees performing asbestos abatement work in States not covered by OSHA asbestos standard.
OSHA	29 CFR 1910.1001	Worker protection measures-engineering controls, worker training, labeling, respiratory protection, bagging of waste, permissible exposure level.
	29 CFR 1926.1101	Worker protection measures for all construction work involving asbestos, including demolition and renovation-work practices, worker training, bagging of waste, permissible exposure level.
MSHA	30 CFR part 56, subpart D	Specifies exposure limits, engineering controls, and respiratory protection measures for workers in surface mines.
	30 CFR part 57, subpart D	Specifies exposure limits, engineering controls, and respiratory protection measures for workers in underground mines.
DOT	49 CFR parts 171 and 172	Regulates the transportation of asbestos-containing waste material. Requires waste containment and shipping papers.

[55 FR 48432, Nov. 20, 1990, as amended at 60 FR 31920, June 19, 1995; 68 FR 54793, Sept. 18, 2003; 69 FR 43324, July 20, 2004]

§ 61.157 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 112(d) 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 that will not be delegated to States:

(1) Section 61.149(c)(2)

(2) Section 61.150(a)(4)

(3) Section 61.151(c)

(4) Section 61.152(b)(3)

(5) Section 61.154(d)

(6) Section 61.155(a).

[55 FR 48433, Nov. 20, 1990]

Appendix A to Subpart M of Part 61- Interpretive Rule Governing Roof Removal Operations

I. Applicability of the Asbestos NESHAP

1.1. Asbestos-containing material (ACM) is material containing more than one percent asbestos as determined using the methods specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy. The NESHAP classifies ACM as either -friable- or -nonfriable-. Friable ACM is ACM that, when dry, can be crumbled, pulverized or reduced to powder by hand pressure. Nonfriable ACM is ACM that, when dry, cannot be crumbled, pulverized or reduced to powder by hand pressure.

1.2. Nonfriable ACM is further classified as either Category I ACM or Category II ACM. Category I ACM and Category II ACM are distinguished from each other by their potential to release fibers when damaged. Category I ACM includes asbestos-containing gaskets, packings, resilient floor coverings, resilient floor covering mastic, and asphalt roofing products containing more than one percent asbestos. Asphalt roofing products which may contain asbestos include built-up roofing; asphalt-containing single ply membrane systems; asphalt shingles; asphalt-containing underlayment felts; asphalt-containing roof coatings and mastics; and asphalt-containing base flashings. ACM roofing products that use other bituminous or resinous binders (such as coal tars or pitches) are also considered to be Category I ACM. Category II ACM includes all other nonfriable ACM, for example, asbestos-cement (A/C) shingles, A/C tiles, and transite boards or panels containing more than one percent asbestos. Generally speaking, Category II ACM is more likely to become friable when damaged than is Category I ACM. The applicability of the NESHAP to Category I and II ACM depends on: (1) the condition of the material at the time of demolition or renovation, (2) the nature of the operation to which the material will be subjected, (3) the amount of ACM involved.

1.3. Asbestos-containing material regulated under the NESHAP is referred to as “regulated asbestos-containing material” (RACM). RACM is defined in §61.141 of the NESHAP and includes: (1) friable asbestos-containing material; (2) Category I nonfriable ACM that has become friable; (3) Category I nonfriable ACM that has been or will be sanded, ground, cut, or abraded; or (4) Category II nonfriable ACM that has already been or is likely to become crumbled, pulverized, or reduced to powder. If the coverage threshold for RACM is met or exceeded in a renovation or demolition operation, then all friable ACM in the operation, and in certain situations, nonfriable ACM in the operation, are subject to the NESHAP.

A. Threshold Amounts of Asbestos-Containing Roofing Material

1.A.1. The NESHAP does not cover roofing projects on single family homes or on residential buildings containing four or fewer dwelling units. 40 CFR 61.141. For other roofing renovation projects, if the total asbestos-containing roof area undergoing renovation is less than 160 ft^2 , the NESHAP does not apply, regardless of the removal method to be used, the type of material (Category I or II), or its condition (friable versus nonfriable). 40 CFR 61.145(a)(4). However, EPA would recommend the use of methods that damage asbestos-containing roofing material as little as possible. EPA has determined that where a rotating blade (RB) roof cutter or equipment that similarly damages the roofing material is used to remove

Category I nonfriable asbestos-containing roofing material, the removal of 5580 ft^2 of that material will create 160 ft^2 of RACM. For the purposes of this interpretive rule, “RB roof cutter” means an engine-powered roof cutting machine with one or more rotating cutting blades the edges of which are blunt. (Equipment with blades having sharp or tapered edges, and/or which does not use a rotating blade, is used for “slicing” rather than “cutting” the roofing material; such equipment is not included in the term “RB roof cutter”.) Therefore, it is EPA's interpretation that when an RB roof cutter or equipment that similarly damages the roofing material is used to remove Category I nonfriable asbestos-containing roofing material, any project that is 5580 ft^2 or greater is subject to the NESHAP; conversely, it is EPA's interpretation that when an RB roof cutter or equipment that similarly damages the roofing material is used to remove Category I nonfriable asbestos-containing roofing material in a roof removal project that is less than 5580 ft^2 , the project is not subject to the NESHAP, except that notification is always required for demolitions. EPA further construes the NESHAP to mean that if slicing or other methods that do not sand, grind, cut or abrade will be used on Category I nonfriable ACM, the NESHAP does not apply, regardless of the area of roof to be removed.

1.A.2. For asbestos cement (A/C) shingles (or other Category II roofing material), if the area of the roofing material to be removed is at least 160 ft^2 and the removal methods will crumble, pulverize, reduce to powder, or contaminate with RACM (from other ACM that has been crumbled, pulverized or reduced to powder) 160 ft^2 or more of such roofing material, the removal is subject to the NESHAP. Conversely, if the area of the A/C shingles (or other Category II roofing materials) to be removed is less than 160 ft^2, the removal is not subject to the NESHAP regardless of the removal method used, except that notification is always required for demolitions. 40 CFR 61.145(a). However, EPA would recommend the use of methods that damage asbestos-containing roofing material as little as possible. If A/C shingles (or other Category II roofing materials) are removed without 160 ft^2 or more of such roofing material being crumbled, pulverized, reduced to powder, or contaminated with RACM (from other ACM that has been crumbled, pulverized or reduced to powder), the operation is not subject to the NESHAP, even where the total area of the roofing material to be removed exceeds 160 ft^2 ; provided, however, that if the renovation includes other operations involving RACM, the roof removal operation is covered if the total area of RACM from all renovation activities exceeds 160 ft^2 . *See* the definition of regulated asbestos-containing material (RACM), 40 CFR 61.141.

1.A.3. Only roofing material that meets the definition of ACM can qualify as RACM subject to the NESHAP. Therefore, to determine if a removal operation that meets or exceeds the coverage threshold is subject to the NESHAP, any suspect roofing material (*i.e.* roofing material that may be ACM) should be tested for asbestos. If any such roofing material contains more than one percent asbestos and if the removal operation is covered by the NESHAP, then EPA must be notified and the work practices in §61.145(c) must be followed. In EPA's view, if a removal operation involves at least the threshold level of suspect material, a roofing contractor may choose not to test for asbestos if the contractor follows the notification and work practice requirements of the NESHAP.

B. A/C Shingle Removal (Category II ACM Removal)

1.B.1. A/C shingles, which are Category II nonfriable ACM, become regulated ACM if the material has a high probability of becoming or has become crumbled, pulverized or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations. 40 CFR 61.141. However, merely breaking an A/C shingle (or any other category II ACM) that is not friable may not necessarily cause the material to become RACM. A/C shingles are typically nailed to buildings on which they are attached. EPA believes that the extent of breakage that will normally result from carefully removing A/C shingles and lowering the shingles to the ground will not result in crumbling, pulverizing or reducing the shingles to powder. Conversely, the extent of breakage that will normally occur if the A/C shingles are dropped from a building or scraped off of a building with heavy machinery would cause the shingles to become RACM. EPA therefore construes the NESHAP to mean that the removal of A/C shingles that are not friable, using methods that do not crumble, pulverize, or reduce the A/C shingles to powder (such as pry bars, spud bars and shovels to carefully pry the material), is not subject to the NESHAP provided that the A/C shingles are properly handled during and after removal, as discussed in this paragraph and the

asbestos NESHAP. This interpretation also applies to other Category II nonfriable asbestos-containing roofing materials.

C. Cutting vs. Slicing and Manual Methods for Removal of Category I ACM

1.C.1. Because of damage to the roofing material, and the potential for fiber release, roof removal operations using rotating blade (RB) roof cutters or other equipment that sand, grind, cut or abrade the roof material are subject to the NESHAP. As EPA interprets the NESHAP, the use of certain manual methods (using equipment such as axes, hatchets, or knives, spud bars, pry bars, and shovels, but not saws) or methods that slice, shear, or punch (using equipment such as a power slicer or power plow) does not constitute “cutting, sanding, grinding or abrading.” This is because these methods do not destroy the structural matrix or integrity of the material such that the material is crumbled, pulverized or reduced to powder. Hence, it is EPA's interpretation that when such methods are used, assuming the roof material is not friable, the removal operation is not subject to the regulation.

1.C.2. Power removers or power tear-off machines are typically used to pry the roofing material up from the deck after the roof membrane has been cut. It is EPA's interpretation that when these machines are used to pry roofing material up, their use is not regulated by the NESHAP.

1.C.3. As noted previously, the NESHAP only applies to the removal of asbestos-containing roofing materials. Thus, the NESHAP does not apply to the use of RB cutters to remove non-asbestos built up roofing (BUR). On roofs containing some asbestos-containing and some non-asbestos-containing materials, coverage under the NESHAP depends on the methods used to remove each type of material in addition to other coverage thresholds specified above. For example, it is not uncommon for existing roofs to be made of non-asbestos BUR and base flashings that do contain asbestos. In that situation, EPA construes the NESHAP to be inapplicable to the removal of the non-asbestos BUR using an RB cutter so long as the RB cutter is not used to cut 5580 ft^2 or more of the asbestos-containing base flashing or other asbestos-containing material into sections. In addition, the use of methods that slice, shear, punch or pry could then be used to remove the asbestos flashings and not trigger coverage under the NESHAP.

II. Notification

2.1. Notification for a demolition is always required under the NESHAP. However, EPA believes that few roof removal jobs constitute “demolitions” as defined in the NESHAP (§61.141). In particular, it is EPA's view that the removal of roofing systems (i.e., the roof membrane, insulation, surfacing, coatings, flashings, mastic, shingles, and felt underlayment), when such removal is not a part of a demolition project, constitutes a “renovation” under the NESHAP. If the operation is a renovation, and Category I roofing material is being removed using either manual methods or slicing, notification is not required by the NESHAP. If Category II material is not friable and will be removed without crumbling, pulverizing, or reducing it to powder, no notification is required. Also, if the renovation involves less than the threshold area for applicability as discussed above, then no notification is required. However, if a roof removal meets the applicability and threshold requirements under the NESHAP, then EPA (or the delegated agency) must be notified in advance of the removal in accordance with the requirements of §61.145(b), as follows:

• Notification must be given in writing at least 10 working days in advance and must include the information in §61.145(b)(4), except for emergency renovations as discussed below.

• The notice must be updated as necessary, including, for example, when the amount of asbestos-containing roofing material reported changes by 20 percent or more.

• EPA must be notified if the start date of the roof removal changes. If the start date of a roof removal project is changed to an earlier date, EPA must be provided with a written notice of the new start date at least 10 working days in advance. If the start date changes to a later date, EPA must be notified by

telephone as soon as possible before the original start date and a written notice must be sent as soon as possible.

• For emergency renovations (as defined in §61.141), where work must begin immediately to avoid safety or public health hazards, equipment damage, or unreasonable financial burden, the notification must be postmarked or delivered to EPA as soon as possible, but no later than the following work day.

III. Emission Control Practices

A. Requirements To Adequately Wet and Discharge No Visible Emission

3.A.1. The principal controls contained in the NESHAP for removal operations include requirements that the affected material be adequately wetted, and that asbestos waste be handled, collected, and disposed of properly. The requirements for disposal of waste materials are discussed separately in section IV below. The emission control requirements discussed in this section III apply only to roof removal operations that are covered by the NESHAP as set forth in Section I above.

3.A.2. For any operation subject to the NESHAP, the regulation (§§61.145(c)(2)(i), (3), (6)(i)) requires that RACM be adequately wet (as defined in §61.141) during the operation that damages or disturbs the asbestos material until collected for disposal.

3.A.3. When using an RB roof cutter (or any other method that sands, grinds, cuts or abrades the roofing material) to remove Category I asbestos-containing roofing material, the emission control requirements of §61.145(c) apply as discussed in Section I above. EPA will consider a roof removal project to be in compliance with the “adequately wet” and “discharge no visible emission” requirements of the NESHAP if the RB roof cutter is equipped and operated with the following: (1) a blade guard that completely encloses the blade and extends down close to the roof surface; and (2) a device for spraying a fine mist of water inside the blade guard, and which device is in operation during the cutting of the roof.

B. Exemptions From Wetting Requirements

3.B.1. The NESHAP provides that, in certain instances, wetting may not be required during the cutting of Category I asbestos roofing material with an RB roof cutter. If EPA determines in accordance with §61.145(c)(3)(i), that wetting will unavoidably damage the building, equipment inside the building, or will present a safety hazard while stripping the ACM from a facility component that remains in place, the roof removal operation will be exempted from the requirement to wet during cutting. EPA must have sufficient written information on which to base such a decision. Before proceeding with a dry removal, the contractor must have received EPA's written approval. Such exemptions will be made on a case-by-case basis.

3.B.2. It is EPA's view that, in most instances, exemptions from the wetting requirements are not necessary. Where EPA grants an exemption from wetting because of the potential for damage to the building, damage to equipment within the building or a safety hazard, the NESHAP specifies alternative control methods (§61.145(c)(3)(i)(B)). Alternative control methods include (a) the use of local exhaust ventilation systems that capture the dust, and do not produce visible emissions, or (b) methods that are designed and operated in accordance with the requirements of §61.152, or (c) other methods that have received the written approval of EPA. EPA will consider an alternative emission control method in compliance with the NESHAP if the method has received written approval from EPA and the method is being implemented consistent with the approved procedures (§61.145(c)(3)(ii) or §61.152(b)(3)).

3.B.3. An exemption from wetting is also allowed when the air or roof surface temperature at the point of wetting is below freezing, as specified in §61.145(c)(7). If freezing temperatures are indicated as the reason for not wetting, records must be kept of the temperature at the beginning, middle and end of the day on which wetting is not performed and the records of temperature must be retained for at least 2 years. 42

CFR §61.145(c)(7)(iii). It is EPA's interpretation that in such cases, no written application to, or written approval by the Administrator is needed for using emission control methods listed in §61.145(c)(3)(i)(B), or alternative emission control methods that have been previously approved by the Administrator. However, such written application or approval is required for alternative emission control methods that have not been previously approved. Any dust and debris collected from cutting must still be kept wet and placed in containers. All of the other requirements for notification and waste disposal would continue to apply as described elsewhere in this notice and the Asbestos NESHAP.

C. Waste Collection and Handling

3.C.1. It is EPA's interpretation that waste resulting from slicing and other methods that do not cut, grind, sand or abrade Category I nonfriable asbestos-containing roofing material is not subject to the NESHAP and can be disposed of as nonasbestos waste. EPA further construes the NESHAP to provide that if Category II roofing material (such as A/C shingles) is removed and disposed of without crumbling, pulverizing, or reducing it to powder, the waste from the removal is not subject to the NESHAP waste disposal requirements. EPA also interprets the NESHAP to be inapplicable to waste resulting from roof removal operations that do not meet or exceed the coverage thresholds described in section I above. Of course, other State, local, or Federal regulations may apply.

3.C.2. It is EPA's interpretation that when an RB roof cutter, or other method that similarly damages the roofing material, is used to cut Category I asbestos containing roofing material, the damaged material from the cut (the sawdust or debris) is considered asbestos containing waste subject to §61.150 of the NESHAP, provided the coverage thresholds discussed above in section 1 are met or exceeded. This sawdust or debris must be disposed of at a disposal site operated in accordance with the NESHAP. It is also EPA's interpretation of the NESHAP that if the remainder of the roof is free of the sawdust and debris generated by the cutting, or if such sawdust or debris is collected as discussed below in paragraphs 3.C.3, 3.C.4, 3.C.5 and 3.C.6, the remainder of the roof can be disposed of as nonasbestos waste because it is considered to be Category I nonfriable material (as long as the remainder of the roof is in fact nonasbestos material or if it is Category I asbestos material and the removal methods do not further sand, grind, cut or abrade the roof material). EPA further believes that if the roof is not cleaned of such sawdust or debris, *i.e.,* it is contaminated, then it must be treated as asbestos-containing waste material and be handled in accordance with §61.150.

3.C.3. In order to be in compliance with the NESHAP while using an RB roof cutter (or device that similarly damages the roofing material) to cut Category I asbestos containing roofing material, the dust and debris resulting from the cutting of the roof should be collected as soon as possible after the cutting operation, and kept wet until collected and placed in leak-tight containers. EPA believes that where the blade guard completely encloses the blade and extends down close to the roof surface and is equipped with a device for spraying a fine mist of water inside the blade guard, and the spraying device is in operation during the cutting, most of the dust and debris from cutting will be confined along the cut. The most efficient methods to collect the dust and debris from cutting are to immediately collect or vacuum up the damaged material where it lies along the cut using a filtered vacuum cleaner or debris collector that meets the requirements of 40 CFR 61.152 to clean up as much of the debris as possible, or to gently sweep up the bulk of the debris, and then use a filtered vacuum cleaner that meets the requirements of 40 CFR 61.152 to clean up as much of the remainder of the debris as possible. On smooth surfaced roofs (nonaggregate roofs), sweeping up the debris and then wet wiping the surface may be done in place of using a filtered vacuum cleaner. It is EPA's view that if these decontamination procedures are followed, the remaining roofing material does not have to be collected and disposed of as asbestos waste. Additionally, it is EPA's view that where such decontamination procedures are followed, if the remaining portions of the roof are non-asbestos or Category I nonfriable asbestos material, and if the remaining portions are removed using removal methods that slice, shear, punch or pry, as discussed in section 1.C above, then the remaining portions do not have to be collected and disposed of as asbestos waste and the NESHAP's no visible emissions and adequately wet requirements are not applicable to the removal of the remaining portions. In EPA's interpretation, the failure of a filtered vacuum cleaner or debris collector to collect larger chunks or pieces of damaged roofing material created by the RB roof cutter does not require the remaining roofing material to be handled and

disposed of as asbestos waste, provided that such visible chunks or pieces of roofing material are collected (e.g. by gentle sweeping) and disposed of as asbestos waste. Other methods of decontamination may not be adequate, and should be approved by the local delegated agency.

3.C.4. In EPA's interpretation, if the debris from the cutting is not collected immediately, it will be necessary to lightly mist the dust or debris, until it is collected, as discussed above, and placed in containers. The dust or debris should be lightly misted frequently enough to prevent the material from drying, and to prevent airborne emissions, prior to collection as described above. It is EPA's interpretation of the NESHAP that if these procedures are followed, the remaining roofing material does not have to be collected and disposed of as asbestos waste, as long as the remaining roof material is in fact nonasbestos material or if it is Category I asbestos material and the removal methods do not further sand, grind, cut or abrade the roof material.

3.C.5. It is EPA's interpretation that, provided the roofing material is not friable prior to the cutting operation, and provided the roofing material has not been made friable by the cutting operation, the appearance of rough, jagged or damaged edges on the remaining roofing material, due to the use of an RB roof cutter, does not require that such remaining roofing material be handled and disposed of as asbestos waste. In addition, it is also EPA's interpretation that if the sawdust or debris generated by the use of an RB roof cutter has been collected as discussed in paragraphs 3.C.3, 3.C.4 and 3.C.6, the presence of dust along the edge of the remaining roof material does not render such material “friable” for purposes of this interpretive rule or the NESHAP, provided the roofing material is not friable prior to the cutting operation, and provided that the remaining roofing material near the cutline has not been made friable by the cutting operation. Where roofing material near the cutline has been made friable by the use of the RB cutter (*i.e.* where such remaining roofing material near the cutline can be crumbled, pulverized or reduced to powder using hand pressure), it is EPA's interpretation that the use of an encapsulant will ensure that such friable material need not be treated or disposed of as asbestos containing waste material. The encapsulant may be applied to the friable material after the roofing material has been collected into stacks for subsequent disposal as nonasbestos waste. It is EPA's view that if the encapsulation procedure set forth in this paragraph is followed in operations where roofing material near the cutline has been rendered friable by the use of an RB roof cutter, and if the decontamination procedures set forth in paragraph 3.C.3 have been followed, the NESHAP's no visible emissions and adequately wet requirements would be met for the removal, handling and disposal of the remaining roofing material.

3.C.6. As one way to comply with the NESHAP, the dust and debris from cutting can be placed in leak-tight containers, such as plastic bags, and the containers labeled using warning labels required by OSHA (29 CFR 1926.58). In addition, the containers must have labels that identify the waste generator (such as the name of the roofing contractor, abatement contractor, and/or building owner or operator) and the location of the site at which the waste was generated.

IV. Waste Disposal

A. Disposal Requirements

4.A.1. Section 61.150(b) requires that, as soon as is practical, all collected dust and debris from cutting as well as any contaminated roofing squares, must be taken to a landfill that is operated in accordance with §61.154 or to an EPA-approved site that converts asbestos waste to nonasbestos material in accordance with §61.155. During the loading and unloading of affected waste, asbestos warning signs must be affixed to the vehicles.

B. Waste Shipment Record

4.B.1. For each load of asbestos waste that is regulated under the NESHAP, a waste shipment record (WSR) must be maintained in accordance with §61.150(d). Information that must be maintained for each waste load includes the following:

• Name, address, and telephone number of the waste generator

• Name and address of the local, State, or EPA regional office responsible for administering the asbestos NESHAP program

• Quantity of waste in cubic meters (or cubic yards)

• Name and telephone number of the disposal site operator

• Name and physical site location of the disposal site

• Date transported

• Name, address, and telephone number of the transporter(s)

• Certification that the contents meet all government regulations for transport by highways.

4.B.2. The waste generator is responsible for ensuring that a copy of the WSR is delivered to the disposal site along with the waste shipment. If a copy of the WSR signed by the disposal site operator is not returned to the waste generator within 35 days, the waste generator must contact the transporter and/or the disposal site to determine the status of the waste shipment. 40 CFR 61.150(d)(3). If the signed WSR is not received within 45 days, the waste generator must report, in writing, to the responsible NESHAP program agency and send along a copy of the WSR. 40 CFR 61.150(d)(4). Copies of WSRs, including those signed by the disposal site operator, must be retained for at least 2 years. 40 CFR 61.150(d)(5).

V. Training

5.1. For those roof removals that are subject to the NESHAP, at least one on-site supervisor trained in the provisions of the NESHAP must be present during the removal of the asbestos roofing material. 40 CFR 61.145(c)(8). In EPA's view, this person can be a job foreman, a hired consultant, or someone who can represent the building owner or contractor responsible for the removal. In addition to the initial training requirement, a refresher training course is required every 2 years. The NESHAP training requirements became effective on November 20, 1991.

5.2. Asbestos training courses developed specifically to address compliance with the NESHAP in roofing work, as well as courses developed for other purposes can satisfy this requirement of the NESHAP, as long as the course covers the areas specified in the regulation. EPA believes that Asbestos Hazard Emergency Response Act (AHERA) training courses will, for example, satisfy the NESHAP training requirements. However, nothing in this interpretive rule or in the NESHAP shall be deemed to require that roofing contractors or roofing workers performing operations covered by the NESHAP must be trained or accredited under AHERA, as amended by the Asbestos School Hazard Abatement Reauthorization Act (ASHARA). Likewise, state or local authorities may independently impose additional training, licensing, or accreditation requirements on roofing contractors performing operations covered by the NESHAP, but such additional training, licensing or accreditation is not called for by this interpretive rule or the federal NESHAP.

5.3. For removal of Category I asbestos containing roofing material where RB roof cutters or equipment that similarly damages the asbestos-containing roofing material are used, the NESHAP training requirements (§61.145(c)(8)) apply as discussed in Section I above. It is EPA's intention that removal of Category I asbestos-containing roofing material using hatchets, axes, knives, and/or the use of spud bars, pry bars and shovels to lift the roofing material, or similar removal methods that slice, punch, or shear the roof membrane are not subject to the training requirements, since these methods do not cause the roof removal to be subject to the NESHAP. Likewise, it is EPA's intention that roof removal operations involving Category II nonfriable ACM are not subject to the training requirements where such operations are not subject to the NESHAP as discussed in section I above.

[59 FR 31158, June 17, 1994, as amended at 60 FR 31920, June 19, 1995]

Indiana Department of Environmental Management
Office of Air Quality
Attachment D

Source Description and Location

Source Name:	Liberty Landfill, Inc.
Source Location:	8635 East SR 16, Monticello, Indiana 47960
County:	White County
SIC Code:	4953
Operation Permit No.:	T 181-29266-00035
Operation Permit Issuance Date:	November 30, 2010
Permit Reviewer:	Kimberly Malley

Complete Text - 40 CFR 63, Subpart AAAA

Subpart AAAA—National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills

Source: 68 FR 2238, Jan. 16, 2003, unless otherwise noted.

What This Subpart Covers
§ 63.1930 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants for existing and new municipal solid waste (MSW) landfills. This subpart requires all landfills described in §63.1935 to meet the requirements of 40 CFR part 60, subpart Cc or WWW and requires timely control of bioreactors. This subpart also requires such landfills to meet the startup, shutdown, and malfunction (SSM) requirements of the general provisions of this part and provides that compliance with the operating conditions shall be demonstrated by parameter monitoring results that are within the specified ranges. It also includes additional reporting requirements.

§ 63.1935 Am I subject to this subpart?

You are subject to this subpart if you meet the criteria in paragraph (a) or (b) of this section.

(a) You are subject to this subpart if you own or operate a MSW landfill that has accepted waste since November 8, 1987 or has additional capacity for waste deposition and meets any one of the three criteria in paragraphs (a)(1) through (3) of this section:

(1) Your MSW landfill is a major source as defined in 40 CFR 63.2 of subpart A.

(2) Your MSW landfill is collocated with a major source as defined in 40 CFR 63.2 of subpart A.

(3) Your MSW landfill is an area source landfill that has a design capacity equal to or greater than 2.5 million megagrams (Mg) and 2.5 million cubic meters (m^3) and has estimated uncontrolled emissions equal to or greater than 50 megagrams per year (Mg/yr) NMOC as calculated according to §60.754(a) of the MSW landfills new source performance standards in 40 CFR part 60, subpart WWW, the Federal plan, or an EPA approved and effective State or tribal plan that applies to your landfill.

(b) You are subject to this subpart if you own or operate a MSW landfill that has accepted waste since November 8, 1987 or has additional capacity for waste deposition, that includes a bioreactor, as defined in §63.1990, and that meets any one of the criteria in paragraphs (b)(1) through (3) of this section:

(1) Your MSW landfill is a major source as defined in 40 CFR 63.2 of subpart A.

(2) Your MSW landfill is collocated with a major source as defined in 40 CFR 63.2 of subpart A.

(3) Your MSW landfill is an area source landfill that has a design capacity equal to our greater than 2.5 million Mg and 2.5 million m^3 and that is not permanently closed as of January 16, 2003.

§ 63.1940 What is the affected source of this subpart?

(a) An affected source of this subpart is a MSW landfill, as defined in §63.1990, that meets the criteria in §63.1935(a) or (b). The affected source includes the entire disposal facility in a contiguous geographic space where household waste is placed in or on land, including any portion of the MSW landfill operated as a bioreactor.

(b) A new affected source of this subpart is an affected source that commenced construction or reconstruction after November 7, 2000. An affected source is reconstructed if it meets the definition of reconstruction in 40 CFR 63.2 of subpart A.

(c) An affected source of this subpart is existing if it is not new.

§ 63.1945 When do I have to comply with this subpart?

(a) If your landfill is a new affected source, you must comply with this subpart by January 16, 2003 or at the time you begin operating, whichever is last.

(b) If your landfill is an existing affected source, you must comply with this subpart by January 16, 2004.

(c) If your landfill is a new affected source and is a major source or is collocated with a major source, you must comply with the requirements in §§63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2) of subpart WWW.

(d) If your landfill is an existing affected source and is a major source or is collocated with a major source, you must comply with the requirements in §§63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2) of subpart WWW, the Federal plan, or EPA approved and effective State or tribal plan that applies to your landfill or by January 13, 2004, whichever occurs later.

(e) If your landfill is a new affected source and is an area source meeting the criteria in §63.1935(a)(3), you must comply with the requirements of §§63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2) of subpart WWW.

(f) If your landfill is an existing affected source and is an area source meeting the criteria in §63.1935(a)(3), you must comply with the requirements in §§63.1955(b) and 63.1960 through 63.1980 by the date your landfill is required to install a collection and control system by 40 CFR 60.752(b)(2) of subpart WWW, the Federal plan, or EPA approved and effective State or tribal plan that applies to your landfill or by January 16, 2004, whichever occurs later.

§ 63.1947 When do I have to comply with this subpart if I own or operate a bioreactor?

You must comply with this subpart by the dates specified in §63.1945(a) or (b) of this subpart. If you own or operate a bioreactor located at a landfill that is not permanently closed as of January 16, 2003 and has a design capacity equal to or greater than 2.5 million Mg and 2.5 million m^3 , then you must install and operate a collection and control system that meets the criteria in 40 CFR 60.752(b)(2)(v) of part 60, subpart WWW, the Federal plan, or EPA approved and effective State plan according to the schedule specified in paragraph (a), (b), or (c) of this section.

(a) If your bioreactor is at a new affected source, then you must meet the requirements in paragraphs (a)(1) and (2) of this section:

(1) Install the gas collection and control system for the bioreactor before initiating liquids addition.

(2) Begin operating the gas collection and control system within 180 days after initiating liquids addition or within 180 days after achieving a moisture content of 40 percent by weight, whichever is later. If you choose to begin gas collection and control system operation 180 days after achieving a 40 percent moisture content instead of 180 days after liquids addition, use the procedures in §63.1980(g) and (h) to determine when the bioreactor moisture content reaches 40 percent.

(b) If your bioreactor is at an existing affected source, then you must install and begin operating the gas collection and control system for the bioreactor by January 17, 2006 or by the date your bioreactor is required to install a gas collection and control system under 40 CFR part 60, subpart WWW, the Federal plan, or EPA approved and effective State plan or tribal plan that applies to your landfill, whichever is earlier.

(c) If your bioreactor is at an existing affected source and you do not initiate liquids addition to your bioreactor until later than January 17, 2006, then you must meet the requirements in paragraphs (c)(1) and (2) of this section:

(1) Install the gas collection and control system for the bioreactor before initiating liquids addition.

(2) Begin operating the gas collection and control system within 180 days after initiating liquids addition or within 180 days after achieving a moisture content of 40 percent by weight, whichever is later. If you choose to begin gas collection and control system operation 180 days after achieving a 40 percent moisture content instead of 180 days after liquids addition, use the procedures in §63.1980(g) and (h) to determine when the bioreactor moisture content reaches 40 percent.

§ 63.1950 When am I no longer required to comply with this subpart?

You are no longer required to comply with the requirements of this subpart when you are no longer required to apply controls as specified in 40 CFR 60.752(b)(2)(v) of subpart WWW, or the Federal plan or EPA approved and effective State plan or tribal plan that implements 40 CFR part 60, subpart Cc, whichever applies to your landfill.

§ 63.1952 When am I no longer required to comply with the requirements of this subpart if I own or operate a bioreactor?

If you own or operate a landfill that includes a bioreactor, you are no longer required to comply with the requirements of this subpart for the bioreactor provided you meet the conditions of either paragraphs (a) or (b).

(a) Your affected source meets the control system removal criteria in 40 CFR 60.752(b)(2)(v) of part 60, subpart WWW or the bioreactor meets the criteria for a nonproductive area of the landfill in 40 CFR 60.759(a)(3)(ii) of part 60, subpart WWW.

(b) The bioreactor portion of the landfill is a closed landfill as defined in 40 CFR 60.751, subpart WWW, you have permanently ceased adding liquids to the bioreactor, and you have not added liquids to the bioreactor for at least 1 year. A closure report for the bioreactor must be submitted to the Administrator as provided in 40 CFR 60.757(d) of subpart WWW.

(c) Compliance with the bioreactor control removal provisions in this section constitutes compliance with 40 CFR part 60, subpart WWW or the Federal plan, whichever applies to your bioreactor.

Standards
§ 63.1955 What requirements must I meet?

(a) You must fulfill one of the requirements in paragraph (a)(1) or (2) of this section, whichever is applicable:

(1) Comply with the requirements of 40 CFR part 60, subpart WWW.

(2) Comply with the requirements of the Federal plan or EPA approved and effective State plan or tribal plan that implements 40 CFR part 60, subpart Cc.

(b) If you are required by 40 CFR 60.752(b)(2) of subpart WWW, the Federal plan, or an EPA approved and effective State or tribal plan to install a collection and control system, you must comply with the requirements in §§63.1960 through 63.1985 and with the general provisions of this part specified in table 1 of this subpart.

(c) For approval of collection and control systems that include any alternatives to the operational standards, test methods, procedures, compliance measures, monitoring, recordkeeping or reporting provisions, you must follow the procedures in 40 CFR 60.752(b)(2). If alternatives have already been approved under 40 CFR part 60 subpart WWW or the Federal plan, or EPA approved and effective State or tribal plan, these alternatives can be used to comply with this subpart, except that all affected sources must comply with the SSM requirements in Subpart A of this part as specified in Table 1 of this subpart and all affected sources must submit compliance reports every 6 months as specified in §63.1980(a) and (b), including information on all deviations that occurred during the 6-month reporting period. Deviations for continuous emission monitors or numerical continuous parameter monitors must be determined using a 3 hour monitoring block average.

(d) If you own or operate a bioreactor that is located at a MSW landfill that is not permanently closed and has a design capacity equal to or greater than 2.5 million Mg and 2.5 million m^3 , then you must meet the requirements of paragraph (a) and the additional requirements in paragraphs (d)(1) and (2) of this section.

(1) You must comply with the general provisions specified in Table 1 of this subpart and §§63.1960 through 63.1985 starting on the date you are required to install the gas collection and control system.

(2) You must extend the collection and control system into each new cell or area of the bioreactor prior to initiating liquids addition in that area, instead of the schedule in 40 CFR 60.752(b)(2)(ii)(A)(*2*).

General and Continuing Compliance Requirements
§ 63.1960 How is compliance determined?

Compliance is determined in the same way it is determined for 40 CFR part 60, subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence. In addition, continuous parameter monitoring data, collected under 40 CFR 60.756(b)(1), (c)(1), and (d) of subpart WWW, are used to demonstrate compliance with the operating conditions for control systems. If a deviation occurs, you have failed to meet the control device operating conditions described in this subpart and have deviated from the requirements of this subpart. Finally, you must develop a written SSM plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site. Failure to write or maintain a copy of the SSM plan is a deviation from the requirements of this subpart.

[68 FR 2238, Jan. 16, 2003, as amended at 71 FR 20462, Apr. 20, 2006]

§ 63.1965 What is a deviation?

A deviation is defined in §63.1990. For the purposes of the landfill monitoring and SSM plan requirements, deviations include the items in paragraphs (a) through (c) of this section.

(a) A deviation occurs when the control device operating parameter boundaries described in 40 CFR 60.758(c)(1) of subpart WWW are exceeded.

(b) A deviation occurs when 1 hour or more of the hours during the 3-hour block averaging period does not constitute a valid hour of data. A valid hour of data must have measured values for at least three 15-minute monitoring periods within the hour.

(c) A deviation occurs when a SSM plan is not developed or maintained on site.

[68 FR 2238, Jan. 16, 2003, as amended at 71 FR 20462, Apr. 20, 2006]

§ 63.1975 How do I calculate the 3-hour block average used to demonstrate compliance?

Averages are calculated in the same way as they are calculated in 40 CFR part 60, subpart WWW, except that the data collected during the events listed in paragraphs (a), (b), (c), and (d) of this section are not to be included in any average computed under this subpart:

(a) Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments.

(b) Startups.

(c) Shutdowns.

(d) Malfunctions.

Notifications, Records, and Reports
§ 63.1980 What records and reports must I keep and submit?

(a) Keep records and reports as specified in 40 CFR part 60, subpart WWW, or in the Federal plan, EPA approved State plan or tribal plan that implements 40 CFR part 60, subpart Cc, whichever applies to your

landfill, with one exception: You must submit the annual report described in 40 CFR 60.757(f) every 6 months.

(b) You must also keep records and reports as specified in the general provisions of 40 CFR part 60 and this part as shown in Table 1 of this subpart. Applicable records in the general provisions include items such as SSM plans and the SSM plan reports.

(c) For bioreactors at new affected sources you must submit the initial semiannual compliance report and performance test results described in 40 CFR 60.757(f) within 180 days after the date you are required to begin operating the gas collection and control system by §63.1947(a)(2) of this subpart.

(d) For bioreactors at existing affected sources, you must submit the initial semiannual compliance report and performance test results described in 40 CFR 60.757(f) within 180 days after the compliance date specified in §63.1947(b) of this subpart, unless you have previously submitted a compliance report for the bioreactor required by 40 CFR part 60, subpart WWW, the Federal plan, or an EPA approved and effective State plan or tribal plan.

(e) For bioreactors that are located at existing affected sources, but do not initiate liquids addition until later than the compliance date in §63.1947(b) of this subpart, you must submit the initial semiannual compliance report and performance tests results described in 40 CFR 60.757(f) within 180 days after the date you are required to begin operating the gas collection and control system by §63.1947(c) of this subpart.

(f) If you must submit a semiannual compliance report for a bioreactor as well as a semiannual compliance report for a conventional portion of the same landfill, you may delay submittal of a subsequent semiannual compliance report for the bioreactor according to paragraphs (f)(1) through (3) of this section so that the reports may be submitted on the same schedule.

(1) After submittal of your initial semiannual compliance report and performance test results for the bioreactor, you may delay submittal of the subsequent semiannual compliance report for the bioreactor until the date the initial or subsequent semiannual compliance report is due for the conventional portion of your landfill.

(2) You may delay submittal of your subsequent semiannual compliance report by no more than 12 months after the due date for submitting the initial semiannual compliance report and performance test results described in 40 CFR 60.757(f) for the bioreactor. The report shall cover the time period since the previous semiannual report for the bioreactor, which would be a period of at least 6 months and no more than 12 months.

(3) After the delayed semiannual report, all subsequent semiannual reports for the bioreactor must be submitted every 6 months on the same date the semiannual report for the conventional portion of the landfill is due.

(g) If you add any liquids other than leachate in a controlled fashion to the waste mass and do not comply with the bioreactor requirements in §§63.1947, 63.1955(c) and 63.1980(c) through (f) of this subpart, you must keep a record of calculations showing that the percent moisture by weight expected in the waste mass to which liquid is added is less than 40 percent. The calculation must consider the waste mass, moisture content of the incoming waste, mass of water added to the waste including leachate recirculation and other liquids addition and precipitation, and the mass of water removed through leachate or other water losses. Moisture level sampling or mass balances calculations can be used. You must document the calculations and the basis of any assumptions. Keep the record of the calculations until you cease liquids addition.

(h) If you calculate moisture content to establish the date your bioreactor is required to begin operating the collection and control system under §63.1947(a)(2) or (c)(2), keep a record of the calculations including the information specified in paragraph (g) of this section for 5 years. Within 90 days after the bioreactor achieves 40 percent moisture content, report the results of the calculation, the date the bioreactor achieved 40 percent moisture content by weight, and the date you plan to begin collection and control system operation.

Other Requirements and Information
§ 63.1985 Who enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or tribal agency. If the EPA Administrator has delegated authority to a State, local, or tribal agency, then that agency as well as the U.S. EPA has the authority to implement and enforce this subpart. Contact the applicable EPA Regional Office to find out if this subpart is delegated to a State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the EPA Administrator 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 as follows. Approval of alternatives to the standards in §63.1955. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart.

§ 63.1990 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act, 40 CFR part 60, subparts A, Cc, and WWW; 40 CFR part 62, subpart GGG, and subpart A of this part, and this section that follows:

Bioreactor means a MSW landfill or portion of a MSW landfill where any liquid other than leachate (leachate includes landfill gas condensate) is added in a controlled fashion into the waste mass (often in combination with recirculating leachate) to reach a minimum average moisture content of at least 40 percent by weight to accelerate or enhance the anaerobic (without oxygen) biodegradation of the waste.

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

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

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

(3) Fails to meet any emission limitation, (including any operating limit), or work practice standard in this subpart during SSM, regardless of whether or not such failure is permitted by this subpart.

Emissions limitation means any emission limit, opacity limit, operating limit, or visible emissions limit.

EPA approved State plan means a State plan that EPA has approved based on the requirements in 40 CFR part 60, subpart B to implement and enforce 40 CFR part 60, subpart Cc. An approved State plan becomes effective on the date specified in the notice published in theFederal Registerannouncing EPA's approval.

Federal plan means the EPA plan to implement 40 CFR part 60, subpart Cc for existing MSW landfills located in States and Indian country where State plans or tribal plans are not currently in effect. On the effective date of an EPA approved State or tribal plan, the Federal plan no longer applies. The Federal plan is found at 40 CFR part 62, subpart GGG.

Municipal solid waste landfill or MSW landfill means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. A municipal solid waste landfill may also receive other types of RCRA Subtitle D wastes (see §257.2 of this chapter) such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of a municipal solid waste landfill may be separated by access roads. A municipal solid waste landfill may be publicly or privately owned. A municipal solid waste landfill may be a new municipal solid waste landfill, an existing municipal solid waste landfill, or a lateral expansion.

Tribal plan means a plan submitted by a tribal authority pursuant to 40 CFR parts 9, 35, 49, 50, and 81 to implement and enforce 40 CFR part 60, subpart Cc.

Work practice standard means any design, equipment, work practice, or operational standard, or combination thereof, that is promulgated pursuant to section 112(h) of the Clean Air Act.

As stated in §§63.1955 and 63.1980, you must meet each requirement in the following table that applies to you.

Table 1 to Subpart AAAA of Part 63—Applicability of NESHAP General Provisions to Subpart AAAA

Part 63 Citation	Description	Explanation
63.1(a)	Applicability: general applicability of NESHAP in this part	Affected sources are already subject to the provisions of paragraphs (a)(10)–(12) through the same provisions under 40 CFR, part 60 subpart A.
63.1(b)	Applicability determination for stationary sources	
63.1(e)	Title V permitting	
63.2	Definitions	
63.4	Prohibited activities and circumvention	Affected sources are already subject to the provisions of paragraph (b) through the same provisions under 40 CFR, part 60 subpart A.
63.5(b)	Requirements for existing, newly constructed, and reconstructed sources	
63.6(e)	Operation and maintenance requirements, startup, shutdown and malfunction plan provisions	
63.6(f)	Compliance with nonopacity emission standards	Affected sources are already subject to the provisions of paragraphs (f)(1) and (2)(i) through the same provisions under 40 CFR, part 60 subpart A.

Part 63 Citation	Description	Explanation
63.10(b)(2)(i)–(b)(2)(v)	General recordkeeping requirements	
63.10(d)(5)	If actions taken during a startup, shutdown and malfunction plan are consistent with the procedures in the startup, shutdown and malfunction plan, this information shall be included in a semi-annual startup, shutdown and malfunction plan report. Any time an action taken during a startup, shutdown and malfunction plan is not consistent with the startup, shutdown and malfunction plan, the source shall report actions taken within 2 working days after commencing such actions, followed by a letter 7 days after the event	
63.12(a)	These provisions do not preclude the State from adopting and enforcing any standard, limitation, etc., requiring permits, or requiring emissions reductions in excess of those specified	
63.15	Availability of information and confidentiality	

Indiana Department of Environmental Management

Office of Air Quality

Attachment E

Source Description and Location

Source Name:	Liberty Landfill, Inc.
Source Location:	8635 East SR 16, Monticello, Indiana 47960
County:	White County
SIC Code:	4953
Operation Permit No.:	T 181-29266-00035
Operation Permit Issuance Date:	November 30, 2010
Permit Reviewer:	Kimberly Malley

Complete Text - 40 CFR 63, Subpart ZZZZ

Subpart ZZZZ - 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 paragraphs (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(f).

(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.

(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(f) 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) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:

(i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(vi) Existing residential emergency stationary RICE located at an area source of HAP emissions;

(vii) Existing commercial emergency stationary RICE located at an area source of HAP emissions; or

(viii) Existing institutional emergency stationary RICE located at an area source of HAP emissions.

(c) *Stationary RICE subject to Regulations under 40 CFR Part 60.* An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section 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.

(1) A new or reconstructed stationary RICE located at an area source;

(2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;

(4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(5) A 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 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010]

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

(a) *Affected sources.* (1) If you have an existing stationary RICE, excluding existing non-emergency 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 applicable emission limitations and operating limitations no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than October 19, 2013.

(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; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

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?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

(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 stationary 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, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE; an existing 4SLB 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.

(d) If you own or operate an existing non-emergency stationary CI 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 2c to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010]

§ 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart. 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, as amended at 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

§ 63.6602 What emission limitations must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart which apply to you. Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

[75 FR 51589, Aug. 20, 2010]

§ 63.6603 What emission limitations and operating limitations must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 1b and Table 2b to this subpart that apply to you.

(b) If you own or operate an existing stationary non-emergency CI RICE greater than 300 HP located at area sources in areas of Alaska not accessible by the Federal Aid Highway System (FAHS) you do not have to meet the numerical CO emission limitations specified in Table 2d to this subpart. Existing stationary non-emergency CI RICE greater than 300 HP located at area sources in areas of Alaska not accessible by the FAHS must meet the management practices that are shown for stationary non-emergency CI RICE less than or equal to 300 HP in Table 2d to this subpart.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011]

§ 63.6604 What fuel requirements must I meet if I own or operate an existing stationary CI RICE?

If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel. Existing non-emergency CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or at area sources in areas of Alaska not accessible by the FAHS are exempt from the requirements of this section.

[75 FR 51589, Aug. 20, 2010]

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.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[75 FR 9675, Mar. 3, 2010]

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 new or reconstructed 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, as amended at 75 FR 51589, Aug. 20, 2010]

§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 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) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) 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.

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

§ 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 that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again.

(c) [Reserved]

(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.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010]

§ 63.6625 What are my monitoring, installation, collection, 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 paragraphs (b)(1) through (5) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

(1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in §63.8(d). As specified in §63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sampling interface (*e.g.,* thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with provisions in §63.8(c)(1) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in §63.10(c), (e)(1), and (e)(2)(i).

(2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.

(3) The CPMS must collect data at least once every 15 minutes (see also §63.6635).

(4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.

(6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

(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.

(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;

(2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;

(5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;

(6) An existing non-emergency, non-black start landfill or digester gas stationary RICE located at an area source of HAP emissions;

(7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (g)(2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska not accessible by the FAHS do not have to meet the requirements of paragraph (g) of this section.

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or

(2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals.

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 days or before commencing operation, whichever is later. The owner

or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of Table 2c to this subpart or in items 5, 6, 7, 9, or 11 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011]

§ 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, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(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.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

§ 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, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to 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, Tables 2a and 2b, Table 2c, and Table 2d to 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) 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 a 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 (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed 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 emergency stationary RICE, an existing limited use 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.

(f) *Requirements for emergency stationary RICE.* (1) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, 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 that was installed on or after June 12, 2006, or an existing emergency stationary RICE located at an area source of HAP emissions, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1)(i) through (iii) of this section. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1)(i) through (iii) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1)(i) through

(iii) of this section, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) You may operate your emergency stationary RICE 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. The owner or operator 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 RICE beyond 100 hours per year.

(iii) You may operate your emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (f)(1)(iii), as long as the power provided by the financial arrangement is limited to emergency power.

(2) If you own or operate an emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that was installed prior to June 12, 2006, you must operate the engine according to the conditions described in paragraphs (f)(2)(i) through (iii) of this section. If you do not operate the engine according to the requirements in paragraphs (f)(2)(i) through (iii) of this section, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) You may operate your emergency stationary RICE 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.

(iii) You may operate your emergency stationary RICE for an additional 50 hours per year in non-emergency situations. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010]

Notifications, Reports, and Records

§ 63.6645 What notifications must I submit and when?

(a) 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 if you own or operate any of the following;

(1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

(2) An existing stationary RICE located at an area source of HAP emissions.

(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(4) 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.

(5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.

(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, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010]

§ 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 (b)(9) of this section.

(1) For semiannual Compliance reports, 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) For semiannual Compliance reports, 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) For semiannual Compliance reports, 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) For semiannual Compliance reports, 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 (b)(4) of this section.

(6) For annual Compliance reports, 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 December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in §63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(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 malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with §63.6605(b), including actions taken to correct a malfunction.

(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.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010]

§ 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)(5), (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) Records of the occurrence and duration of each malfunction of operation (*i.e.,* process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(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.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency RICE.

(3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) or (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010]

§ 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 for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

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 a 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 (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed 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 specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill 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 specified in Table 8 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.

[75 FR 9678, Mar. 3, 2010]

§ 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.

Black start engine means an engine whose only purpose is to start up a combustion turbine.

CAA means the Clean Air Act (42 U.S.C. 7401 *et seq.,* as amended by Public Law 101–549, 104 Stat. 2399).

Commercial emergency stationary RICE means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

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. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (*e.g.* biodiesel) that is suitable for use in compression ignition engines.

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 internal combustion engine 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 RICE used to supply power to an electric grid or that supply non-emergency power as part of a financial arrangement with another entity are not considered to be emergency engines, except as permitted under §63.6640(f). All emergency stationary RICE must comply with the requirements specified in §63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in §63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

Engine startup means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.

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.

Institutional emergency stationary RICE means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

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.

Residential emergency stationary RICE means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

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 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 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; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011]

Table 1ato 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 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent 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 emission limitation, except during periods of startup . . .	During periods of startup you must . . .
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	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[1]
	b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O_2	

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9679, Mar. 3, 2010, as amended at 75 FR 51592, Aug. 20, 2010]

Table 1bto 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 and Existing Spark Ignition 4SRB Stationary RICE >500 HP Located at an Area Source of HAP Emissions

As stated in §§63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions and existing 4SRB stationary RICE >500 HP located at an area source of HAP emissions that operate more than 24 hours per calendar year:

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; 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 O2 and using NSCR; or 4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 2.7 ppmvd or less at 15 percent O2 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 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.

For each . . .	You must meet the following operating limitation . . .
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 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 O2 and not using NSCR; or 4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 2.7 ppmvd or less at 15 percent O2 and not using NSCR.	Comply with any operating limitations approved by the Administrator.

[76 FR 12867, Mar. 9, 2011]

Table 2ato Subpart ZZZZ of Part 63—Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions

As stated in §§63.6600 and 63.6640, 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, except during periods of startup . . .	During periods of startup you must . . .
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	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[1]
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	

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9680, Mar. 3, 2010]

Table 2bto Subpart ZZZZ of Part 63— Operating Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP Located at a Major Source of HAP Emissions, New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions, Existing Compression Ignition Stationary RICE >500 HP, and Existing 4SLB Stationary RICE >500 HP Located at an Area Source of HAP Emissions

As stated in §§63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and compression ignition stationary RICE located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; existing compression ignition stationary RICE >500 HP; and existing 4SLB stationary RICE >500 HP located at an area source of HAP emissions that operate more than 24 hours per calendar year:

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; or 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of CO 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.[1]
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; or 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst	Comply with any operating limitations approved by the Administrator.

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(g) for a different temperature range.

[75 FR 51593, Aug. 20, 2010, as amended at 76 FR 12867, Mar. 9, 2011]

Table 2cto Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions

As stated in §§63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE.[1]	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[2] b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3]	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[3]
2. Non-Emergency, non-black start stationary CI RICE <100 HP	a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;[2]	
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3]	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O_2	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more.	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Non-Emergency, non-black start stationary CI RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more.	
6. Emergency stationary SI RICE and black start stationary SI RICE.[1]	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[2]	
	b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3]	
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[2]	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.[3]	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP	a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first;[2]	
	b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.[3]	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O_2	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O_2	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O_2	
12. Non-emergency, non-black start landfill or digester gas-fired stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or less at 15 percent O_2	

[1]If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.

[2]Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2c of this subpart.

[3]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 51593, Aug. 20, 2010]

Table 2dto Subpart ZZZZ of Part 63— Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions

As stated in §§63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Non-Emergency, non-black start CI stationary RICE ≤300 HP	a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;[1]	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
2. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more.	
3. Non-Emergency, non-black start CI stationary RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more.	
4. Emergency stationary CI RICE and black start stationary CI RICE.[2]	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[1]	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year.[2]	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[1] b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
6. Non-emergency, non-black start 2SLB stationary RICE	a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first;[1]	
	b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.	
7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[1]	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	
8. Non-emergency, non-black start 4SLB stationary RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd at 15 percent O_2; or	
	b. Reduce CO emissions by 93 percent or more.	
9. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[1]	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	
10. Non-emergency, non-black start 4SRB stationary RICE >500 HP	a. Limit concentration of formaldehyde in the stationary RICE exhaust to 2.7 ppmvd at 15 percent O_2; or	
	b. Reduce formaldehyde emissions by 76 percent or more.	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
11. Non-emergency, non-black start landfill or digester gas-fired stationary RICE	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[1]	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	

[1]Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2d of this subpart.

[2]If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.

[75 FR 51595, Aug. 20, 2010]

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. New or reconstructed 2SLB stationary RICE with a brake horsepower >500 located at major sources; new or reconstructed 4SLB stationary RICE with a brake horsepower ≥250 located at major sources; and new or reconstructed CI stationary RICE with a brake horsepower >500 located at major sources	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually.[1]

For each . . .	Complying with the requirement to . . .	You must . . .
2. 4SRB stationary RICE with a brake horsepower ≥5,000 located at major sources	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually.[1]
3. Stationary RICE with a brake horsepower >500 located at major sources and new or reconstructed 4SLB stationary RICE with a brake horsepower 250≤HP≤500 located at major sources	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually.[1]
4. Existing non-emergency, non-black start CI stationary RICE with a brake horsepower >500 that are not limited use stationary RICE; existing non-emergency, non-black start 4SLB and 4SRB stationary RICE located at an area source of HAP emissions with a brake horsepower >500 that are operated more than 24 hours per calendar year that are not limited use stationary RICE	Limit or reduce CO or formaldehyde emissions	Conduct subsequent performance tests every 8,760 hrs. or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE with a brake horsepower >500 that are limited use stationary RICE; existing non-emergency, non-black start 4SLB and 4SRB stationary RICE located at an area source of HAP emissions with a brake horsepower >500 that are operated more than 24 hours per calendar year and are limited use stationary RICE	Limit or reduce CO or formaldehyde emissions	Conduct subsequent performance tests every 8,760 hrs. or 5 years, whichever comes first.

[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.

[75 FR 51596, Aug. 20, 2010]

Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests

As stated in §§63.6610, 63.6611, 63.6612, 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_2 at the inlet and outlet of the control device; and	(1) Portable CO and O_2 analyzer	(a) Using ASTM D6522–00 (2005)[a] (incorporated by reference, see §63.14). Measurements to determine O_2 must be made at the same time as the measurements for CO concentration.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		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)[ab](incorporated by reference, see §63.14) or Method 10 of 40 CFR appendix A. The CO concentration must be at 15 percent O_2, 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 O_2at 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 D6522–00m (2005)	(a) Measurements to determine O_2concentration 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,[c]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 O_2, 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 or CO in the stationary RICE exhaust	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) 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 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 O_2concentration must be made at the same time and location as the measurements for formaldehyde concentration.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		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; or	(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348–03,[c]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 O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
		v. Measure CO at the exhaust of the stationary RICE	(1) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00 (2005),[a]Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03	(a) CO Concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour 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. ASTM–D6522–00 (2005) may be used to test both CI and SI stationary RICE.

[b]You may also use Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.

[c]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.

[75 FR 51597, Aug. 20, 2010]

Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations and Operating Limitations

As stated in §§63.6612, 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. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	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. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS	i. The average CO concentration determined from the initial performance test is less than or equal to the CO 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.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	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.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if. . .
4. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	a. Limit the concentration of CO, and not using oxidation catalyst	i. The average CO concentration determined from the initial performance test is less than or equal to the CO 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.
5. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	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.
6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	a. Limit the concentration of CO, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O_2or CO_2at the 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 concentration of CO calculated using §63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if. . .
7. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	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.
8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	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.
9. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	a. Limit the concentration of formaldehyde and not using NSCR	i. The average formaldehyde concentration determined from the initial performance test 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.
10. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP	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

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if. . .
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
11. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP	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.
12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Reduce CO or formaldehyde emissions	i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.
13. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust	i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O_2, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.

[76 FR 12867, Mar. 9, 2011]

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, Operating Limitations, Work Practices, and Management Practices

As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	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;[a]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. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	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;[a]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.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP, existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS	i. Collecting the monitoring data according to §63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration 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, or that the emission remain at or below the CO concentration limit; 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. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	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. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	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; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
6. Non-emergency 4SRB stationary RICE with a brake HP ≥5,000 located at a major source of HAP	a. Reduce formaldehyde emissions	Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved.[a]

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
7. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250 ≤HP≤500 located at a major source of HAP	a. 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;[a]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. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250 ≤HP≤500 located at a major source of HAP	a. 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;[a]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.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE <100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency landfill or digester gas stationary SI RICE located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate 24 hours or less per calendar year	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
10. Existing stationary CI RICE >500 HP that are not limited use stationary RICE, and existing 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate more than 24 hours per calendar year and are not limited use stationary RICE	a. Reduce CO or formaldehyde emissions, or limit the concentration of formaldehyde or CO in the stationary RICE exhaust, and using oxidation catalyst or NSCR	i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; 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.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE, and existing 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate more than 24 hours per calendar year and are not limited use stationary RICE	a. Reduce CO or formaldehyde emissions, or limit the concentration of formaldehyde or CO in the stationary RICE exhaust, and not using oxidation catalyst or NSCR	i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; 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.
12. Existing limited use CI stationary RICE >500 HP and existing limited use 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate more than 24 hours per calendar year	a. Reduce CO or formaldehyde emissions or limit the concentration of formaldehyde or CO in the stationary RICE exhaust, and using an oxidation catalyst or NSCR	i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; 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.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
13. Existing limited use CI stationary RICE >500 HP and existing limited use 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate more than 24 hours per calendar year	a. Reduce CO or formaldehyde emissions or limit the concentration of formaldehyde or CO in the stationary RICE exhaust, and not using an oxidation catalyst or NSCR	i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; 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.

[a]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.

[76 FR 12870, Mar. 9, 2011]

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:

For each ...	You must submit a ...	The report must contain ...	You must submit the report ...
1. Existing non-emergency, non-black start stationary RICE 100≤HP≤500 located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >300 HP located at an area source of HAP; existing non-emergency, non-black start 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP and operated more than 24 hours per calendar year; new or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP	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 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 c. If you had a malfunction during the reporting period, the information in §63.6650(c)(4)	i. Semiannually according to the requirements in §63.6650(b)(1)–(5) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in §63.6650(b)(6)–(9) for engines that are limited use stationary RICE subject to numerical emission limitations. i. Semiannually according to the requirements in §63.6650(b). i. Semiannually according to the requirements in §63.6650(b).
2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	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 2.a.i.
		c. Any problems or errors suspected with the meters.	i. See item 2.a.i.

[75 FR 51603, Aug. 20, 2010]

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]		
§63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes.	
§63.6(d)	[Reserved]		
§63.6(e)	Operation and maintenance	No.	
§63.6(f)(1)	Applicability of standards	No.	
§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.	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§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, 63.6611, and 63.6612.
§63.7(a)(3)	CAA section 114 authority	Yes.	
§63.7(b)(1)	Notification of performance test	Yes	Except that §63.7(b)(1) only applies as specified in §63.6645.
§63.7(b)(2)	Notification of rescheduling	Yes	Except that §63.7(b)(2) only applies as specified in §63.6645.
§63.7(c)	Quality assurance/test plan	Yes	Except that §63.7(c) only applies as specified in §63.6645.
§63.7(d)	Testing facilities	Yes.	
§63.7(e)(1)	Conditions for conducting performance tests	No.	Subpart ZZZZ specifies conditions for conducting performance tests at §63.6620.
§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 requirements	Yes	Subpart ZZZZ contains specific 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.	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§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.
		Except that §63.8(e) only applies as specified in §63.6645.	
§63.8(f)(1)–(5)	Alternative monitoring method	Yes	Except that §63.8(f)(4) only applies as specified in §63.6645.
§63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that §63.8(f)(6) only applies as specified in §63.6645.
§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.
		Except that §63.9(b) only applies as specified in §63.6645.	
§63.9(c)	Request for compliance extension	Yes	Except that §63.9(c) only applies as specified in §63.6645.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§63.9(d)	Notification of special compliance requirements for new sources	Yes	Except that §63.9(d) only applies as specified in §63.6645.
§63.9(e)	Notification of performance test	Yes	Except that §63.9(e) only applies as specified in §63.6645.
§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	Except that §63.9(g) only applies as specified in §63.6645.
§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.
		Except that §63.9(g) only applies as specified in §63.6645.	
§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.
			Except that §63.9(h) only applies as specified in §63.6645.
§63.9(i)	Adjustment of submittal deadlines	Yes.	
§63.9(j)	Change in previous information	Yes.	
§63.10(a)	Administrative provisions for recordkeeping/reporting	Yes.	
§63.10(b)(1)	Record retention	Yes.	
§63.10(b)(2)(i)–(v)	Records related to SSM	No.	
§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.	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§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	No.	
§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.	

[75 FR 9688, Mar. 3, 2010]

Indiana Department of Environmental Management

Office of Air Quality

Addendum to the Technical Support Document (ATSD) for a Part 70 Significant Source Modification and Significant Permit Modification

Source Description and Location

Source Name:	Liberty Landfill, Inc.
Source Location:	8635 East SR 16, Monticello, Indiana 47960
County:	White County
SIC Code:	4953, 4911
Operation Permit No.:	T 181-29266-00035
Operation Permit Issuance Date:	November 30, 2010
Significant Source Modification No.:	181-31031-00035
Significant Permit Modification No.:	181-31170-00035
Permit Reviewer:	David Matousek

Public Notice Information

On February 4, 2012, the Office of Air Quality (OAQ) had a notice published in the Herald Journal in Monticello, Indiana stating that Liberty Landfill, Inc., located at 8635 East State Road 16, Monticello, Indiana 47960 submitted an application for a significant modification of its Part 70 Operating Permit issued on November 30, 2010. The proposed modification would allow Liberty Landfill, Inc. to make certain changes at its existing source. Liberty Landfill, Inc. submitted an application relating to the replacement of an existing open flare, identified as FL2, with a maximum heat input rate of 37.1 MMBtu/hr with a new open flare, identified as FL3, with a maximum heat input capacity of 75 MMBtu/hr.

The notice also stated that the OAQ proposed to issue a Part 70 Operating Permit Renewal 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 IDEM's Responses

On February 22, 1012, Matthew W. Rechtin, P.E. submitted comments on behalf of Liberty Landfill, Inc. The comments and IDEM's responses to the comments are shown below:

Public Comment #1

Please revise the emission unit description of the new open flare in Section A.2(f), and the emission unit description boxes in Section D.1, Section E.1 and Section E.4 to indicate the flare does not have a bypass.

IDEM RESPONSE

IDEM has revised the emission unit description of the new flare as requested. Revisions to the Significant Permit Modification and Significant Source Modification as a result of this comment are shown below. Rule citations have been updated as detailed in IDEM Change #1.

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)][326 IAC 2-7-5(1~~5~~**4**)]

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

****

(f) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. **This flare does not have a bypass.** [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

****

(b) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. **This flare does not have a bypass.** [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

****

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

SECTION E.1 New Source Performance Standards (NSPS) [40 CFR Part 60] [326 IAC 12]

Emissions Unit Description [326 IAC 2-7-5(1~~5~~4)]:

****

(d) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. **This flare does not have a bypass.** [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

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

SECTION E.4 National Emission Standards for Hazardous Air Pollutants: (NESHAP) [40 CFR Part 63] [326 IAC 20-67]

Emissions Unit Description [326 IAC 2-7-5(1~~5~~4)]:

****

(d) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. **This flare does not have a bypass.** [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

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

No revisions have been made to the technical support document as a result of this comment. IDEM wishes the technical support document that was placed on public notice to remain unchanged. Revisions to the permit after public notice are made in this Addendum to the Technical Support Document (ATSD). This allows the public notice version of the technical support document to remain unchanged for historical purposes.

Public Comment #2

The TSD indicates the existing flare must be removed from service prior to placing the new flare in service. Permit Condition D.1.3 indicates a grace period for testing and startup of the new flare before the old flare is removed. Please clarify the intent of the condition.

IDEM RESPONSE

Condition D.1.3 is correct as stated. Liberty Landfill, Inc. may have both the new flare and old flare onsite at the same time, during construction and testing. The old flare will operate under normal conditions while the new flare is installed and tested. There is no time limit on startup testing of the new flare contained in the permit. Once the new flare is ready for continuous operation, the new flare will be placed in service and the old flare shall be removed from service, but may physically remain onsite. Liberty Landfill, Inc. may keep the old flare onsite for a period of up to 180 days before the old flare must be physically removed.

No revisions have been made to the permit or technical support document as a result of this comment. IDEM wishes the technical support document that was placed on public notice to remain unchanged. Revisions to the permit after public notice are made in this Addendum to the Technical Support Document (ATSD). This allows the public notice version of the technical support document to remain unchanged for historical purposes.

Public Comment #3

Several criteria were listed that demonstrate the non-applicability of CAM. However, one of the most important ones (which is not included) is that CAM is not applicable because the landfill is subject to an NSPS (WWW) that was proposed after 11/15/1990.

IDEM RESPONSE

IDEM concurs with your analysis.

No revisions have been made to the permit or technical support document as a result of this comment. IDEM wishes the technical support document that was placed on public notice to remain unchanged. Revisions to the permit after public notice are made in this Addendum to the Technical Support Document (ATSD). This allows the public notice version of the technical support document to remain unchanged for historical purposes.

Public Comment #4

IDEM stated the most current version of 40 CFR 63, Subpart ZZZZ was June 28, 2011. We believe this is incorrect and the most current version of Subpart ZZZZ is March 9, 2011, 76 FR 12866.

IDEM RESPONSE

IDEM concurs with your analysis. The version of 40 CFR 63, Subpart ZZZZ attached to the draft permit was the March 8, 2011, 76 FR 12866. The reference to June 28, 2011 is applicable to NSPS JJJJ and not NESHAP ZZZZ.

No revisions have been made to the permit or technical support document as a result of this comment. IDEM wishes the technical support document that was placed on public notice to remain unchanged. Revisions to the permit after public notice are made in this Addendum to the Technical Support Document (ATSD). This allows the public notice version of the technical support document to remain unchanged for historical purposes.

Public Comment #5

The emission calculations reference AP-40 instead of AP-42 in several places. Please correct the references. The emission factors used in the emission calculations for the flare are incorrect in regards to VOC, hexane and H_2S. Liberty Landfill, Inc. used a value of 170 ppmv as H_2S instead of the AP-42 emission factor to provide a more conservative estimate of SO_2 emissions. Please revise the emission calculations using 170 ppmv as H_2S and not 36 ppmv. Liberty Landfill does not believe the emission factors for VOC or hexane from natural gas combustion in boilers is appropriate. Please revise to use AP-42, Chapter 2.4, 11/98.

IDEM RESPONSE

The reference to AP-40 is a typographical error. The correct reference is AP-42. IDEM is no longer using AP-42, Chapter 2.4, 11/98. All new permits will be issued using AP-42, Chapter 2.4, October 2008.

AP-42, Chapter 2.4, Table 2.4-1, October 2008 is used to estimate emissions from the decomposition of waste in a landfill. IDEM typically uses this table to calculate emissions from the landfill and shows a controlled landfill emission rate based on the reduction obtained in the flare. Emissions credited to the flare are from combustion of the methane contained in the landfill gas along with HCL and SO_2 emissions created in the flare by the combustion of landfill gas. IDEM only considers emissions created in the flare in its analysis. IDEM used AP-42, Chapter 1.4 to estimate the combustion of methane in an external combustion source. This chapter contains the best emission factors available for external combustion of methane in regards to VOC and HAPs. Chapter 1.4 only applies to the methane portion of landfill gas combusted in the flare.

IDEM proposes the following emission factors for use in landfill gas-fired flares from landfills with the majority of their waste in place after 1992:

Pollutant	Emission Factor	Emission Factor Source	Reason
$PM/PM_{10}/PM_{2.5}$	17 lb/dMMSCF	Provided by Applicant	The emission factor in AP-42, Chapter 2.4, 10/08, Table 2.4-4 is intended to be used for landfill gas emissions from a flare. This factor is 15 lb/dMMSCF and is lower than the number used in the draft permit. IDEM does not object to a higher number.
Sulfur Content	170 ppmv as H_2S	Provided by Applicant	The recommend emission factor from AP-42, Chapter 2.4, 10/08, Paragraph 2.4.4.2 is 47 ppmv as sulfur. This emission factor estimate emissions at the flare tip. IDEM does not object to a higher emission factor.
SO_2	None	None	PTE (SO2) = PTE (H_2S) x MW SO_2 / MW H_2S Same methodology as draft permit. This equation is based on H_2S instead of S.

Pollutant	Emission Factor	Emission Factor Source	Reason
VOC	99.7% NMOC	AP-42, Chapter 2.4, 10/08, Table 2.4-1	The 2008 version of AP-42, Chapter 2.4 uses 99.7% of NMOC using an NMOC emission rate that is 1.3 times higher than the 1998 version of AP-42, Chapter 2.4.
CO	37.10 lb/MMBtu	Vendor Guarantee	Provided by Applicant and Accepted by IDEM
NOx	37.10 lb/MMBtu	Vendor Guarantee	Provided by Applicant and Accepted by IDEM
Individual HAPs, other than HCL	Multiple	AP-42, Chapter 2.4, 10/2008, Table 2.4-1	Current AP-42 Emission Factors
HCL	74 ppmv as CL	AP-42, Chapter 2.4, 10/08, Paragraph 2.4.4.2	The 1998 version of AP-42, Chapter 2.4 used 42 ppmv as CL and estimates emissions at the flare tip. IDEM is using the higher emission factor as a conservative estimate.
CO_2	114.55 lb/MMBtu	40 CFR 98, Table C-1	52.07 kg CO_2 / MMBtu is the listed emission factor for biogas (captured methane). The emission factor shown was converted to lb/MMBtu.
CH_4	7.04 E-03 lb/MMBtu	40 CFR 98, Table C-2	3.2 E-03 kg CH_4 / MMBtu is the listed emission factor for biogas (captured methane). The emission factor shown was converted to lb/MMBtu.
N_2O	1.386 E-03 lb/MMBtu	40 CFR 98, Table C-2	6.3 E-04 kg N_2O / MMBtu is the listed emission factor for biogas (captured methane). The emission factor shown was converted to lb/MMBtu.

Revised emission calculations reflecting the above emission factors are attached as a Appendix A to this ATSD.

No revisions have been made to the permit or technical support document as a result of this comment. IDEM wishes the technical support document that was placed on public notice to remain unchanged. Revisions to the permit after public notice are made in this Addendum to the Technical Support Document (ATSD). This allows the public notice version of the technical support document to remain unchanged for historical purposes.

Additional IDEM Changes

Upon further review, IDEM is making the following changes to the Part 70 Significant Source Modification No. 181-31031-00035 and Significant Permit Modification No. 181-31170-00035:

IDEM Change #1 - On October 27, 2010, the Indiana Air Pollution Control Board issued revisions to 326 IAC 2. These revisions resulted in changes to the rule sites listed in the permit. These changes are not changes to the underlining provisions. The change is only to site of these rules in Section A - General Information, Section A - Emission Units and Pollution Control Equipment Summary, Section A - Specifically Regulated Insignificant Activities, Section B - Preventative Maintenance Plan, Section B - Emergency Provisions, Section B - Operational Flexibility, Section B - Advanced Source Modification Approval, Section C - Risk Management Plan, the Facility Descriptions, and Section D - Preventative Maintenance Plan. In addition, IDEM is adding the secondary SIC code to Section A.1. The following revisions have been made to the draft permit:

A.1 General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5**(14)** ~~(15)~~][326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary stationary municipal solid waste landfill.

Source Address:	8635 East State Route 16, Monticello, Indiana 47960
General Source Phone Number:	317-745-2878
SIC Code:	4953**, 4911**

****

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)][326 IAC 2-7-5**(14)** ~~(15)~~]

****

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-7-4(c)] 326 IAC 2-7-5(**14)** ~~(15)~~]

****

B.10 Preventive Maintenance Plan [326 IAC 2-7-5~~(13)~~ **(12)**][326 IAC 1-6-3]

****

B.11 Emergency Provisions [326 IAC 2-7-16]

****

(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 2-7-4(c)~~(9)~~**(8)** be revised in response to an emergency.

****

B.19 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b)~~,~~ **or** (c)~~, or (e)~~ without a prior permit revision, if each of the following conditions is met:

****

(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 2-7-20(b)~~,~~ **or** (c)~~, or (e)~~. 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 2-7-20(b)(1)~~,~~ **and** (c)(1)~~, and (e)(2)~~.

****

C.12 Risk Management Plan [326 IAC 2-7-5(**11**~~12~~)] [40 CFR 68]

****

SECTION E.2 New Source Performance Standards (NSPS) [40 CFR Part 60] [326 IAC 12]

Emissions Unit Description [326 IAC 2-7-5(14~~5~~)]:

****

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

SECTION E.3 National Emission Standards for Hazardous Air Pollutants: (NESHAP) [40 CFR Part 61] [326 IAC 14]

Emissions Unit Description [326 IAC 2-7-5(14~~5~~)]:

****

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

SECTION E.5 National Emission Standards for Hazardous Air Pollutants: (NESHAP) [40 CFR Part 63] [326 IAC 20-82]

Emissions Unit Description [326 IAC 2-7-5(14~~5~~)]:

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

IDEM Change #2 - IDEM, OAQ has clarified the Permittee's responsibility with regards to record keeping. On October 27, 2010, the Indiana Air Pollution Control Board issued revisions to 326 IAC 2. These revisions included the incorporation of the U.S. EPA's definition of reasonable possibility. The permit previously sited to the EPA definition. Also, the revisions resulted in changes to other rule sites listed in the permit. Neither of these changes are changes to the underlining provisions. The change is only to site of these rules in Section C - General Reporting and Section C - General Recordkeeping. The following changes have been made to the draft permit:

C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]

(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. **Support information includes the following:**

(AA) All calibration and maintenance records.
(BB) All original strip chart recordings for continuous monitoring instrumentation.
(CC) Copies of all reports required by the Part 70 permit.

Records of required monitoring information include the following:

(AA) The date, place, as defined in this permit, and time of sampling or measurements.
(BB) The dates analyses were performed.
(CC) The company or entity that performed the analyses.
(DD) The analytical techniques or methods used.
(EE) The results of such analyses.
(FF) The operating conditions as existing at the time of sampling or measurement.

(b) **********

(c) If there is a reasonable possibility ~~(as defined in 40 CFR 51.165(a)(6)(vi)(A), 40 CFR 51.165(a)(6)(vi)(B), 40 CFR 51.166(r)(6)(vi)(a), and/or 40 CFR 51.166(r)(6)(vi)(b))~~**(as defined in 326 IAC 2-2-8(b)(6)(A), 326 IAC 2-2-8(b)(6)(B), 326 IAC 2-3-2(l)(6)(A), and/or 326 IAC 2-3-2(l)(6)(B))** that a "project" (as defined in 326 IAC 2-2-1(~~qq~~**oo**) and/or 326 IAC 2-3-1(~~ll~~**jj**)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(~~ee~~**dd**) and/or 326 IAC 2-3-1(~~z~~**y**)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(~~rr~~**pp**) and/or 326 IAC 2-3-1(~~mm~~**kk**)), the Permittee shall comply with following:

(1) Before beginning actual construction of the "project" (as defined in 326 IAC 2-2-1(~~qq~~**oo**) and/or 326 IAC 2-3-1(~~ll~~**jj**)) at an existing emissions unit, document and maintain the following records:

****

(C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:

(i) Baseline actual emissions;

(ii) Projected actual emissions;

(iii) Amount of emissions excluded under section 326 IAC 2-2-1(~~rr~~**pp**)(2)(A)(iii) and/or 326 IAC 2-3-1 (~~mm~~**kk**)(2)(A)(iii); and

(iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.

(d) If there is a reasonable possibility ~~(as defined in 40 CFR 51.165(a)(6)(vi)(A) and/or 40 CFR 51.166(r)(6)(vi)(a))~~**(as defined in 326 IAC 2-2-8(b)(6)(A) and/or 326 IAC 2-3-2(l)(6)(A))** that a "project" (as defined in 326 IAC 2-2-1(~~qq~~**oo**) and/or 326 IAC 2-3-1(~~ll~~**jj**)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a "major modification" (as defined in 326 IAC 2-2-1(~~ee~~**dd**) and/or 326 IAC 2-3-1(~~z~~**y**)) may result in significant emissions increase and the Permittee elects to utilize the "projected actual emissions" (as defined in 326 IAC 2-2-1(~~rr~~**pp**) and/or 326 IAC 2-3-1(~~mm~~**kk**)), the Permittee shall comply with following:

~~**********~~

IDEM Change #3 - IDEM, OAQ has clarified the interaction of the Quarterly Deviation and Compliance Monitoring Report and the Emergency Provisions. On October 27, 2010, the Indiana Air Pollution Control Board issued revisions to 326 IAC 2. These revisions included the incorporation of the U.S. EPA's definition of reasonable possibility. The permit previously sited to the EPA definition. Also, the revisions resulted in changes to other rule sites listed in the permit. Neither of these changes are changes to the underlining provisions. The change is only to site of these rules in Section C - General Reporting and Section C - General Recordkeeping. The following changes have been made to the draft permit:

C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. **Proper notice submittal under Section B – Emergency Provisions satisfies the reporting requirements of this paragraph**. 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 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(34). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

~~**********~~

(e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (~~qq~~**oo**) and/or 326 IAC 2-3-1 (~~ll~~**jj**)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:

(1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (~~xx~~**ww**) and/or 326 IAC 2-3-1 (~~qq~~**pp**), for that regulated NSR pollutant, and

****

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

PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT

Source Name: PQ Corporation
Source Address: 1101 Quartz Road, Clarksville, IN 47129
Part 70 Permit No.: T019-23178-00018

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

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. **Proper notice submittal under Section B – Emergency Provisions satisfies the reporting requirements of this paragraph**. 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".

****

IDEM Change #4 - Section A.3 has been revised to remove a duplication of an emission unit. Revisions are shown below:

A.3 Specifically Regulated Insignificant Activities
[326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]

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

(a) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6, consisting of one (1) parts washing station, constructed in 2004, with a maximum capacity of 20 gallons. [326 IAC 8-3-2] [326 IAC 8-3-5]

(b) ~~Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6, consisting of one (1) parts washing station, constructed in 2009, with a maximum capacity of 20 gallons. [326 IAC 8-3-2] [326 IAC 8-3-5]~~

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

IDEM Change #5 - Administrative Amendment No. 181-31447-00035 was issued for this source on February 13, 2012, while Significant Source Modification No. 181-31031-00035 and Significant Permit Modification No. 181-31170-00035 were on public notice. The following changes have been made to the draft permit to incorporate the administrative amendment:

E.1.3 Operational Standards for Collection and Control Systems [40 CFR 60.753][326 IAC 12]

In order to comply with 40 CFR 60.752(b)(2)(ii), the Permittee shall:

(a) Operate the collection system such that gas is collected from each area, cell, or group of cells in the municipal solid waste landfill in which solid waste has been in place for five years, if active, or two (2) years or more if closed or at final grade.

(b) Operate the collection system with negative pressure at each wellhead except under the following conditions:

(1) Fire or increased well temperature. The Permittee shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in 40 CFR 60.757(f)(1).

(2) Use of a geomembrane or synthetic cover. The Permittee shall develop acceptable pressure limits in the design plan.

(3) A decommissioned well. A well may experience a static positive pressure after shutdown to accommodate for declining flows. All design changes shall be approved by the Office of Air Quality (OAQ).

(c) Operate each interior wellhead in the collection system with a landfill gas temperature less than 55 °C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent, except as indicated below:

(1) A landfill gas temperature less than 63 °C (145 °F) for well #67R.

The Permittee may establish a higher operating temperature, nitrogen or oxygen value at other particular wells. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

(1) The nitrogen level shall be determined using Method 3C, unless an alternative method is established as allowed by 40 CFR 60.752(b)(2)(i).

(2) Unless an alternative test method is established as allowed by 40 CFR 60.752(b)(2)(i), the oxygen shall be determined by an oxygen meter using Method 3A except that; the span shall be set so that the regulatory limit is between 20 and 50 percent of the span; a data recorder is not required; only two calibration gases are required, a zero and span, and ambient air may be used as the span; a calibration error check is not required; the allowable sample bias, zero drift, and calibration drift are +/- 10 percent.

(d) Operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the Permittee shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The Permittee may establish an alternative traversing pattern that ensures equivalent coverage. A

surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

(e) Operate the system such that all collected gases are vented to a control system designed and operated in compliance with 40 CFR 60.752(b)(2)(iii). In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within one hour.

(f) Operate the control system at all times when the collected gas is routed to the system.

(g) If monitoring demonstrates that the operational requirements in 40 CFR 60.753(b), (c), or (d) are not met, corrective action shall be taken as specified in 40 CFR 60.755(a)(3) through (5) or 40 CFR 60.755(c). If corrective actions are taken as specified in 40 CFR 60.755, the monitored exceedance is not a violation of the operational requirements in 40 CFR 60.753.

IDEM Contact

Questions regarding this proposed permit can be directed to:

David J. Matousek
Indiana Department Environmental Management
Office of Air Quality
100 North Senate Avenue
MC 61-53, Room 1003
Indianapolis, Indiana 46204-2251
Toll free (within Indiana): 1-800-451-6027 extension (2-8253)
Or dial directly: (317) 232-8253
Fax: (317) 232-6749 attn: David Matousek
E-mail: dmatouse@idem.in.gov

Please reference permit numbers 181-31031-00035 and 181-31170-00035 in all correspondence.

Addendum to the Technical Support Document (ATSD) - Appendix A
Emission Summary Sheet

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: 181-31031-00035
Reviewer: David Matousek
Date: December 27, 2011

326 IAC 2-7-10.5 and 326 IAC 2-2 Applicability

Potential to Emit of New Flare - 326 IAC 2-7-10.5

Emission Unit	PM	PM10	PM2.5	SO_2	VOC	CO	NOx	Biogenic GHG (CO2e)	Nonbiogenic GHG (CO2e)	Single HAP (HCL)	Total HAPs
New Flare	6.14	6.14	6.14	18.85	1.99	121.55	22.34	37,630	191	4.67	5.32

Past Actual Emissions Old Flare

Emission Unit	PM	PM10	PM2.5	SO_2	VOC	CO	NOx	Biogenic GHG (CO2e)	Nonbiogenic GHG (CO2e)	Single HAP (HCL)	Total HAPs
Old Flare 1/1 to 12/31/2008	1.26	1.26	1.26	3.65	0.41	24.62	4.52	7,621	38	0.91	1.04
Old Flare 1/1 to 12/31/2009	1.27	1.27	1.27	4.14	0.41	25.07	4.61	7,760	38	1.01	1.14
Past Actual Emissions	1.27	1.27	1.27	3.90	0.41	24.85	4.57	7,691	38	0.96	1.09
Potential to Emit Old Flare	3.53	3.53	3.53	10.30	1.14	60.12	11.05	18,614	95	2.55	2.92

Permit Level Determination - PSD Actual to Projected Actual Test

Emission Unit	PM	PM10	PM2.5	SO_2	VOC	CO	NOx	Biogenic GHG (CO2e)	Nonbiogenic GHG (CO2e)	Single HAP (HCL)	Total HAPs
Past Actual Emissions Old Flare	1.27	1.27	1.27	3.9	0.41	24.85	4.57	7,691	38	0.96	1.09
The Flare Could Have Accommodated	2.26	2.26	2.26	6.40	0.73	35.27	6.48	10,924	57	1.59	1.83
Potential to Emit New Flare	6.14	6.14	6.14	18.85	1.99	121.55	22.34	37,630	191	4.67	5.32
Total for Modification	2.61	2.61	2.61	8.55	0.85	61.43	11.29	19,016	96	2.12	2.40
Significant Levels	25	15	10	40	40	100	40	---	75,000	---	---

Source Status

Emission Unit	PM	PM10	PM2.5	SO_2	VOC	CO	NOx	Biogenic GHG (CO2e)	Nonbiogenic GHG (CO2e)	Single HAP (Toluene)	Total HAPs
PTE Before Modification T181-29266-00035	19.49	19.49	19.49	29.45	6.08	317.30	232.75	185,995	283,829	4.13	19.01
Total for Modification	2.61	2.61	2.61	8.55	0.85	61.43	11.29	19,016	96	0.00	2.40
PTE After Modification	22.10	22.10	22.10	38.00	6.93	378.73	244.04	205,011	283,925	4.13	21.41

Addendum to the Technical Support Document (ATSD) - Appendix A
Potential to Emit - New Flare

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

Input Data

Flare Heat Input Capacity	75.00	MMBtu/hr	Molecular Weight (H_2S)	34.081	lb/lb mole
Heating Value of Landfill Gas	500.00	Btu/CF	Molecular Weight (SO2)	64.060	lb/lb mole
Landfill Gas Required	2,500	SCFM	Molecular Weight (HCL)	36.458	lb/lb mole
Inlet Gas Temperature	519.67	R	Weight % Water in LFG	0.0%	
Inlet Gas Pressure	1	atm			
Flare Design Flow Rate	2,500	SCFM			

Landfill Gas Flow Rate (Wet Basis)		Landfill Gas Flow Rate (Dry Basis)		% Methane	Methane Flow Rate (Dry Basis)			
2,500	SCFM	2,500	DSCFM	55.00%	1,375 SCFM	or	723	MMSCF/yr

Potential to Emit Calculations - Flare

Pollutant	Concentration (ppmv)	Pollutant Flow (SCFM)	Throughput (SCFM or MMBtu/hr)	Emission Factor		PTE (TPY)	Notes
PM			1,375	17.0	lb/MMCF CH4, dry basis	6.14	Provided by applicant
PM10			1,375	17.0	lb/MMCF CH4, dry basis	6.14	Assumed the same as PM
PM2.5			1,375	17.0	lb/MMCF CH4, dry basis	6.14	Assumed the same as PM
Sulfur	170	0.425				10.03	C(H_2S) provided by applicant. See note 8
SO2						18.85	PTE (SO2) = PTE (H_2S) x MW (SO2) / MW (H_2S)
VOC			1,375	5.5	lb/MMSCF	1.99	AP-42, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
CO			75.00	0.37	lb/MMBtu	121.55	Vendor Guarantee
NOx			75.00	0.068	lb/MMBtu	22.34	Vendor Guarantee
Hexane			1,375	1.8	lb/MMSCF	0.65	AP-42, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
HCL	74	0.185				4.67	AP-42, Chapter 2.4, Section 2.4.4.2, 10/08 See Note 8
Total HAP						5.32	Sum of Hexane and HCL Minor HAPs are insignificant
CO2			75	114.55	lb/MMBtu	37,630	40 CFR 98, Table C-1, 52.07 kg/MMBtu
CH4			75	7.04E-03	lb/MMBtu	2.31	40 CFR 98, Table C-2, 3.2E-03 kg/MMBtu
N2O			75	1.386E-03	lb/MMBtu	0.46	40 CFR 98, Table C-2, 6.3E-04 kg/MMBtu
Biogenic GHG as CO2e						37,630	All CO2 is biogenic
Non-Biogenic GHG as CO2e						191	CH4 and N2O are nonbiogenic

Methodology:
1) Methane Flow Rate = Flare Gas Flow Rate x (% Methane)
2) AP-42 does not include emission factors for PM10 or PM2.5. They are assumed identical to PM.
3) DSCFM = SCFM (1 - % Water)
4) Pollutant Flow (SCFM) = [Total Landfill Flow (SCFM)] x [ppmv pollutant / 1,000,000]
5) PTE (TPY) = Flow (CFM) x Emission Factor (lb/MMCF) x [MMCF/1,000,000 CF] x [60 min/hr] x [8,760 hr/yr] x [ton/2,000 lb]
6) PTE (TPY) = Heat Input (MMBtu/hr) x Emission Factor (lb/MMBtu) x [8,760 hr/yr] x [ton/2,000 lb]
7) CO2e = [TPY CO2] + 21 x [TPY CH4] + 310 x [TPY N2O]
8) PTE (tons/yr) = $\frac{360 \times Q_{pollutant} (CFM) \times MW (lb/lb\ mole) \times P (atm)}{T(R)}$ (AP-42, Chapter 2.4, Eq. 4 - converted to US units)

Addendum to the Technical Support Document (ATSD) - Appendix A
Actual Emissions - Old Flare - PTE

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

Input Data

Flare Heat Input Capacity	37.10	MMBtu/hr	Molecular Weight (H_2S)	34.081	lb/lb mole
Heating Value of Landfill Gas	454.00	Btu/CF	Molecular Weight (SO2)	64.060	lb/lb mole
Landfill Gas Required	1,362	SCFM	Molecular Weight (HCL)	36.458	lb/lb mole
Inlet Gas Temperature	519.67	R	Weight % Water in LFG	0.0%	
Inlet Gas Pressure	1	atm			
Actual LFG Flow Rate	1,362	SCFM			

Landfill Gas Flow Rate (Wet Basis)		Landfill Gas Flow Rate (Dry Basis)		% Methane	Methane Flow Rate (Dry Basis)			
1,362	SCFM	1,362	DSCFM	58.00%	790 SCFM	or	416	MMSCF/yr

Potential to Emit Calculations - Flare

Pollutant	Concentration (ppmv)	Pollutant Flow (SCFM)	Throughput (SCFM or MMBtu/hr)	Emission Factor		PTE (TPY)	Notes
PM			790	17.0	lb/MMCF CH4, dry basis	3.53	Provided by applicant
PM10			790	17.0	lb/MMCF CH4, dry basis	3.53	Assumed the same as PM
PM2.5			790	17.0	lb/MMCF CH4, dry basis	3.53	Assumed the same as PM
Sulfur	170	0.232				5.48	C (H_sS) provided by applicant. See note 8
SO2						10.30	PTE (SO2) = PTE (H_2S) x MW (SO2) / MW (H_2S)
VOC			790	5.5	lb/MMSCF	1.14	AP-42, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
CO			37.10	0.37	lb/MMBtu	60.12	Vendor Guarantee
NOx			37.10	0.068	lb/MMBtu	11.05	Vendor Guarantee
Hexane			790	1.8	lb/MMSCF	0.37	AP-42, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
HCL	74	0.101				2.55	AP-42, Chapter 2.4, Section 2.4.4.2, 10/08 See Note 8
Total HAP						2.92	Sum of Hexane and HCL Minor HAPs are insignificant
CO2			37.10	114.55	lb/MMBtu	18,614	40 CFR 98, Table C-1, 52.07 kg/MMBtu
CH4			37.10	7.04E-03	lb/MMBtu	1.14	40 CFR 98, Table C-2, 3.2E-03 kg/MMBtu
N2O			37.10	1.386E-03	lb/MMBtu	0.23	40 CFR 98, Table C-2, 6.3E-04 kg/MMBtu
Biogenic GHG as CO2e						18,614	All CO2 is biogenic
Non-Biogenic GHG as CO2e						95	CH4 and N2O are nonbiogenic

Methodology:
1) Methane Flow Rate = Flare Gas Flow Rate x (% Methane)
2) AP-42 does not include emission factors for PM10 or PM2.5. They are assumed identical to PM.
3) DSCFM = SCFM (1 - % Water)
4) Pollutant Flow (SCFM) = [Total Landfill Flow (SCFM)] x [ppmv pollutant / 1,000,000]
5) PTE (TPY) = Flow (CFM) x Emission Factor (lb/MMCF) x [MMCF/1,000,000 CF] x [60 min/hr] x [8,760 hr/yr] x [ton/2,000 lb]
6) PTE (TPY) = Heat Input (MMBtu/hr) x Emission Factor (lb/MMBtu) x [8,760 hr/yr] x [ton/2,000 lb]
7) CO2e = [TPY CO2] + 21 x [TPY CH4] + 310 x [TPY N2O]
8) PTE (tons/yr) = $\frac{360 \times Q_{pollutant}(CFM) \times MW\ (lb/lb\ mole) \times P\ (atm)}{T(R)}$ (AP-42, Chapter 2.4, Eq. 4 - converted to US units)

Addendum to the Technical Support Document (ATSD) - Appendix A
Actual Emissions - Old Flare - 01/01/2008 to 12/31/2008

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

Input Data

Flare Heat Input Capacity	15.19	MMBtu/hr	Molecular Weight (H_2S)	34.081	lb/lb mole
Heating Value of Landfill Gas	523.00	Btu/CF	Molecular Weight (SO2)	64.060	lb/lb mole
Landfill Gas Required	484	SCFM	Molecular Weight (HCL)	36.458	lb/lb mole
Inlet Gas Temperature	519.67	R	Weight % Water in LFG	0.0%	
Inlet Gas Pressure	1	atm			
Actual LFG Flow Rate	484	SCFM			

Landfill Gas Flow Rate (Wet Basis)		Landfill Gas Flow Rate (Dry Basis)		% Methane	Methane Flow Rate (Dry Basis)			
484	SCFM	484	DSCFM	58.00%	281 SCFM	or	148	MMSCF/yr

Potential to Emit Calculations - Flare

Pollutant	Concentration (ppmv)	Pollutant Flow (SCFM)	Throughput (SCFM or MMBtu/hr)	Emission Factor		PTE (TPY)	Notes
PM			281	17.0	lb/MMCF CH4, dry basis	1.26	Provided by applicant
PM10			281	17.0	lb/MMCF CH4, dry basis	1.26	Assumed the same as PM
PM2.5			281	17.0	lb/MMCF CH4, dry basis	1.26	Assumed the same as PM
Sulfur	170	0.082				1.94	C (H_2S) provided by applicant. See note 8
SO2						3.65	PTE (SO2) = PTE (H_2S) x MW (SO2) / MW (H_2S)
VOC			281	5.5	lb/MMSCF	0.41	AP-42, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
CO			15.19	0.37	lb/MMBtu	24.62	Vendor Guarantee
NOx			15.19	0.068	lb/MMBtu	4.52	Vendor Guarantee
Hexane			281	1.8	lb/MMSCF	0.13	AP-42, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
HCL	74	0.036				0.91	AP-42, Chapter 2.4, Section 2.4.4.2, 10/08 See Note 8
Total HAP						1.04	Sum of Hexane and HCL Minor HAPs are insignificant
CO2			15.19	114.55	lb/MMBtu	7,621	40 CFR 98, Table C-1, 52.07 kg/MMBtu
CH4			15.19	7.04E-03	lb/MMBtu	0.47	40 CFR 98, Table C-2, 3.2E-03 kg/MMBtu
N2O			15.19	1.386E-03	lb/MMBtu	0.09	40 CFR 98, Table C-2, 6.3E-04 kg/MMBtu
Biogenic GHG as CO2e						7,621	All CO2 is biogenic
Non-Biogenic GHG as CO2e						38	CH4 and N2O are nonbiogenic

Methodology:
1) Methane Flow Rate = Flare Gas Flow Rate x (% Methane)
2) AP-42 does not include emission factors for PM10 or PM2.5. They are assumed identical to PM.
3) DSCFM = SCFM (1 - % Water)
4) Pollutant Flow (SCFM) = [Total Landfill Flow (SCFM)] x [ppmv pollutant / 1,000,000]
5) PTE (TPY) = Flow (CFM) x Emission Factor (lb/MMCF) x [MMCF/1,000,000 CF] x [60 min/hr] x [8,760 hr/yr] x [ton/2,000 lb]
6) PTE (TPY) = Heat Input (MMBtu/hr) x Emission Factor (lb/MMBtu) x [8,760 hr/yr] x [ton/2,000 lb]
7) CO2e = [TPY CO2] + 21 x [TPY CH4] + 310 x [TPY N2O]
8) PTE (tons/yr) = $\frac{360 \times Q_{pollutant} (CFM) \times MW (lb/lb\ mole) \times P (atm)}{T(R)}$ (AP-42, Chapter 2.4, Eq. 4 - converted to US units)

Addendum to the Technical Support Document (ATSD) - Appendix A
Actual Emissions - Old Flare - 01/01/2009 to 12/31/2009

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

Input Data

Flare Heat Input Capacity	15.467	MMBtu/hr	Molecular Weight (H_2S)	34.081	lb/lb mole
Heating Value of Landfill Gas	473.00	Btu/CF	Molecular Weight (SO2)	64.060	lb/lb mole
Landfill Gas Required	545	SCFM	Molecular Weight (HCL)	36.458	lb/lb mole
Inlet Gas Temperature	519.67	R	Weight % Water in LFG	0.0%	
Inlet Gas Pressure	1	atm			
Actual LFG Flow Rate	545	SCFM			

Landfill Gas Flow Rate (Wet Basis)		Landfill Gas Flow Rate (Dry Basis)		% Methane	Methane Flow Rate (Dry Basis)			
545	SCFM	545	DSCFM	52.00%	284 SCFM	or	150	MMSCF/yr

Potential to Emit Calculations - Flare

Pollutant	Concentration (ppmv)	Pollutant Flow (SCFM)	Throughput (SCFM or MMBtu/hr)	Emission Factor		PTE (TPY)	Notes
PM			284	17.0	lb/MMCF CH4, dry basis	1.27	Provided by applicant
PM10			284	17.0	lb/MMCF CH4, dry basis	1.27	Assumed the same as PM
PM2.5			284	17.0	lb/MMCF CH4, dry basis	1.27	Assumed the same as PM
Sulfur	170	0.093				2.20	C (H_2S) provided by applicant. See note 8
SO2						4.14	PTE (SO2) = PTE (H_2S) x MW (SO2) / MW (H_2S)
VOC			284	5.5	lb/MMSCF	0.41	AP-42, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
CO			15.47	0.37	lb/MMBtu	25.07	Vendor Guarantee
NOx			15.47	0.068	lb/MMBtu	4.61	Vendor Guarantee
Hexane			284	1.8	lb/MMSCF	0.13	AP-42, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
HCL	74	0.04				1.01	AP-42, Chapter 2.4, Section 2.4.4.2, 10/08 See Note 8
Total HAP						1.14	Sum of Hexane and HCL Minor HAPs are insignificant
CO2			15.467	114.55	lb/MMBtu	7,760	40 CFR 98, Table C-1, 52.07 kg/MMBtu
CH4			15.467	7.04E-03	lb/MMBtu	0.48	40 CFR 98, Table C-2, 3.2E-03 kg/MMBtu
N2O			15.467	1.386E-03	lb/MMBtu	0.09	40 CFR 98, Table C-2, 6.3E-04 kg/MMBtu
Biogenic GHG as CO2e						7,760	All CO2 is biogenic
Non-Biogenic GHG as CO2e						38	CH4 and N2O are nonbiogenic

Methodology:
1) Methane Flow Rate = Flare Gas Flow Rate x (% Methane)
2) AP-42 does not include emission factors for PM10 or PM2.5. They are assumed identical to PM.
3) DSCFM = SCFM (1 - % Water)
4) Pollutant Flow (SCFM) = [Total Landfill Flow (SCFM)] x [ppmv pollutant / 1,000,000]
5) PTE (TPY) = Flow (CFM) x Emission Factor (lb/MMCF) x [MMCF/1,000,000 CF] x [60 min/hr] x [8,760 hr/yr] x [ton/2,000 lb]
6) PTE (TPY) = Heat Input (MMBtu/hr) x Emission Factor (lb/MMBtu) x [8,760 hr/yr] x [ton/2,000 lb]
7) CO2e = [TPY CO2] + 21 x [TPY CH4] + 310 x [TPY N2O]
8) PTE (tons/yr) = $\frac{360 \times Q_{pollutant} (CFM) \times MW (lb/lb\ mole) \times P (atm)}{T(R)}$ (AP-42, Chapter 2.4, Eq. 4 - converted to US units)

Addendum to the Technical Support Document (ATSD) - Appendix A
Source Wide Greenhouse Gas Emissions - After Modification

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

1) Municipal Solid Waste Landfill (LandGEM Summary)

Potential to Emit				
Pollutant	**PTE**	**PTE (CO_2e)**	**Biogenic (TPY CO2e)**	**Non-Biogenic GHG (TPY CO2e)**
CO_2	144,000 TPY CO_2	144,000	144,000	0
CH_4	52,470 TPY CH_4	1,101,870	0	1,101,870
N_2O	0 TPY N_2O	0	0	0
	PTE (TPY as CO2e)		144,000	1,101,870

Landfill GHG Emissions			
Pollutant	**Control Efficiency (%)**	**Landfill Biogenic GHG (TPY CO2e)**	**Landfill Nonbiogenic GHG (TPY CO2e)**
CO_2	0%	144,000	0
CH_4	75%	0	275,468
N_2O	0%	0	0
	Fugitive GHG	144,000	275,468

2) New Flare Emissions (See Sheet 2)

New Flare				
Pollutant	**PTE (TPY)**	**GWP**	**Biogenic GHG (TPY CO2e)**	**Nonbiogenic GHG (TPY CO2e)**
CO_2	37,630	1	37,630	0
CH_4	2.31	21	0	49
N_2O	0.46	310	0	143
	GHG Emissions		37,630	192

3) Engine Emissions (Total 8 Engines - Heat Input of 8.9 MMBtu/hr Each)

Total Heat Input 71.2 MMBtu/hr

Pollutant	Emission Factor (lb/MMBtu)	PTE (TPY)	GWP	Biogenic GHG (TPY CO2e)	Nonbiogenic GHG (TPY CO2e)	Source
CO_2	110	34,304	1	34,304	0	AP-42, Chapter 3.2, Table 3.2-2, 7/2000
CH_4	1.25	390	21	0	8,190	AP-42, Chapter 3.2, Table 3.2-2, 7/2000
N_2O	0.001389	0.430	310	0	133	40 CFR 98, Subpart C, Table C-2
	GHG Emissions (TPY as CO_2e)			34,304	8,323	

Source Potential to Emit (GHG)		
Emission Unit	Biogenic GHG (CO2e)	Non-biogenic GHG (CO2e)
Landfill	144,000	1,101,870
Flare	37,630	192
Engines	34,304	8,323
Total	215,934	1,110,385

Source Potential to Emit After Issuance (GHG)		
Emission Unit	Biogenic GHG (CO2e)	Non-biogenic GHG (CO2e)
Landfill	144,000	275,468
Flare	37,630	192
Engines	34,304	8,323
Total	215,934	283,983

Addendum to the Technical Support Document (ATSD) - Appendix A
Source Wide Greenhouse Gas Emissions - After Modification

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

1) Municipal Solid Waste Landfill (LandGEM Summary)

Potential to Emit				
Pollutant	**PTE**	**PTE (CO_2e)**	**Biogenic (TPY CO2e)**	**Non-Biogenic GHG (TPY CO2e)**
CO_2	144,000 TPY CO_2	144,000	144,000	0
CH_4	52,470 TPY CH_4	1,101,870	0	1,101,870
N_2O	0 TPY N_2O	0	0	0
	PTE (TPY as CO2e)		144,000	1,101,870

Landfill GHG Emissions			
Pollutant	**Control Efficiency (%)**	**Landfill Biogenic GHG (TPY CO2e)**	**Landfill Nonbiogenic GHG (TPY CO2e)**
CO_2	0%	144,000	0
CH_4	75%	0	275,468
N_2O	0%	0	0
Fugitive GHG		144,000	275,468

2) Old Flare Emissions (See Sheets 3 and 4)

Old Flare						
Pollutant	**PTE 2008 (TPY)**	**PTE 2009 (TPY)**	**PTE (TPY)**	**GWP**	**Biogenic GHG (TPY CO2e)**	**Nonbiogenic GHG (TPY CO2e)**
CO_2	7,621	7,760	7,691	1	7,691	0
CH_4	0.47	0.48	0.48	21	0	10
N_2O	0.09	0.09	0.09	310	0	28
	GHG Emissions				7,691	38

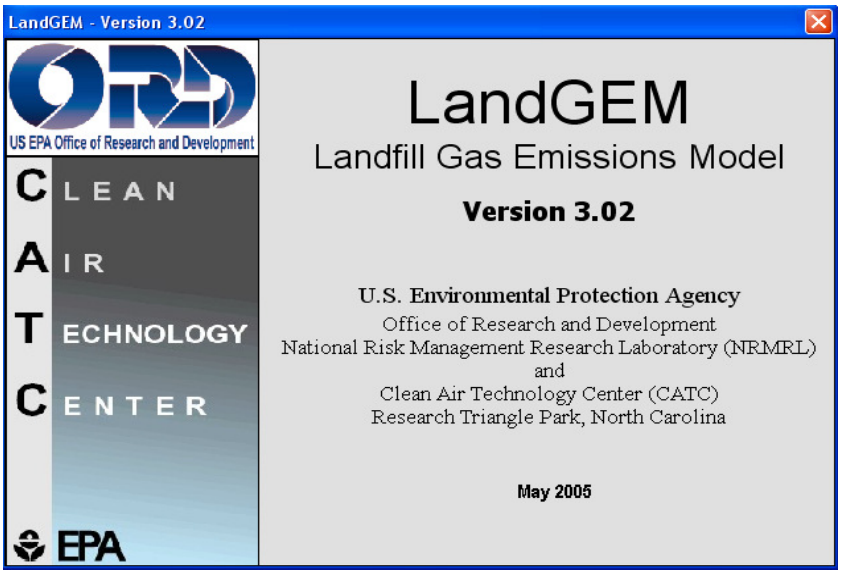
3) Engine Emissions (Total 8 Engines - Heat Input of 8.9 MMBtu/hr Each)

Total Heat Input 71.2 MMBtu/hr

Pollutant	Emission Factor (lb/MMBtu)	PTE (TPY)	GWP	Biogenic GHG (TPY CO2e)	Nonbiogenic GHG (TPY CO2e)	Source
CO_2	110	34,304	1	34,304	0	AP-42, Chapter 3.2, Table 3.2-2, 7/2000
CH_4	1.25	390	21	0	8,190	AP-42, Chapter 3.2, Table 3.2-2, 7/2000
N_2O	0.001389	0.430	310	0	133	40 CFR 98, Subpart C, Table C-2
GHG Emissions (TPY as CO_2e)				34,304	8,323	

Source Potential to Emit (GHG)		
Emission Unit	Biogenic GHG (CO2e)	Non-biogenic GHG (CO2e)
Landfill	144,000	1,101,870
Flare	7,691	38
Engines	34,304	8,323
Total	185,995	1,110,231

Source Potential to Emit After Issuance (GHG)		
Emission Unit	Biogenic GHG (CO2e)	Non-biogenic GHG (CO2e)
Landfill	144,000	275,468
Flare	7,691	38
Engines	34,304	8,323
Total	185,995	283,829



Summary Report

Landfill Name or Identifier: Liberty Landfill, Inc.

Date: Thursday, March 08, 2012

Description/Comments:
NMOC is from an average of test data. Lo was multiplied by 1.3, AP-42, Chapter 2.4, 10/08. Emission factors are from AP-42, Chapter 2.4, 10/08.

About LandGEM:

First-Order Decomposition Rate Equation:

$$Q_{CH_4} = \sum_{i=1}^{n} \sum_{j=0.1}^{1} k L_o \left(\frac{M_i}{10} \right) e^{-k t_{ij}}$$

Where,

Q_{CH_4} = annual methane generation in the year of the calculation *(m^3/year)*
i = 1-year time increment
n = (year of the calculation) - (initial year of waste acceptance)
j = 0.1-year time increment
k = methane generation rate (*$year^{-1}$*)
L_o = potential methane generation capacity (*m^3/Mg*)

M_i = mass of waste accepted in the ith year (*Mg*)
t_{ij} = age of the jth section of waste mass M_i accepted in the ith year (*decimal years*, e.g., 3.2 years)

LandGEM is based on a first-order decomposition rate equation for quantifying emissions from the decomposition of landfilled waste in municipal solid waste (MSW) landfills. The software provides a relatively simple approach to estimating landfill gas emissions. Model defaults are based on empirical data from U.S. landfills. Field test data can also be used in place of model defaults when available. Further guidance on EPA test methods, Clean Air Act (CAA) regulations, and other guidance regarding landfill gas emissions and control technology requirements can be found at http://www.epa.gov/ttnatw01/landfill/landflpg.html.

LandGEM is considered a screening tool — the better the input data, the better the estimates. Often, there are limitations with the available data regarding waste quantity and composition, variation in design and operating practices over time, and changes occurring over time that impact the emissions potential. Changes to landfill operation, such as operating under wet conditions through leachate recirculation or other liquid additions, will result in generating more gas at a faster rate. Defaults for estimating emissions for this type of operation are being developed to include in LandGEM along with defaults for convential landfills (no leachate or liquid additions) for developing emission inventories and determining CAA applicability. Refer to the Web site identified above for future updates.

Input Review

LANDFILL CHARACTERISTICS

Landfill Open Year	**1982**	
Landfill Closure Year (with 80-year limit)	**2029**	
Actual Closure Year (without limit)	***2029***	
Have Model Calculate Closure Year?	**Yes**	
Waste Design Capacity	**24,051,980**	*megagrams*

MODEL PARAMETERS

Methane Generation Rate, k	**0.040**	*$year^{-1}$*
Potential Methane Generation Capacity, L_o	**130**	*m^3/Mg*
NMOC Concentration	**600**	*ppmv as hexane*
Methane Content	**50**	*% by volume*

GASES / POLLUTANTS SELECTED

Gas / Pollutant #1:	**Total landfill gas**
Gas / Pollutant #2:	**Methane**
Gas / Pollutant #3:	**Carbon dioxide**
Gas / Pollutant #4:	**NMOC**

WASTE ACCEPTANCE RATES

Year	Waste Accepted		Waste-In-Place	
	(Mg/year)	*(short tons/year)*	*(Mg)*	*(short tons)*
1982	8,145	8,960	0	0
1983	48,979	53,877	8,145	8,960
1984	48,979	53,877	57,124	62,836
1985	48,979	53,877	106,103	116,713
1986	48,979	53,877	155,082	170,590
1987	48,979	53,877	204,061	224,467
1988	48,979	53,877	253,040	278,344
1989	48,979	53,877	302,019	332,221
1990	48,979	53,877	350,998	386,098
1991	94,415	103,857	399,977	439,975
1992	170,992	188,091	494,392	543,831
1993	225,125	247,638	665,384	731,922
1994	368,398	405,238	890,509	979,560
1995	397,013	436,714	1,258,907	1,384,798
1996	550,372	605,409	1,655,920	1,821,512
1997	704,045	774,450	2,206,292	2,426,921
1998	599,989	659,988	2,910,337	3,201,371
1999	91,435	100,579	3,510,326	3,861,359
2000	0	0	3,601,761	3,961,937
2001	0	0	3,601,761	3,961,937
2002	129,716	142,688	3,601,761	3,961,937
2003	282,492	310,741	3,731,477	4,104,625
2004	600,593	660,652	4,013,969	4,415,366
2005	536,305	589,936	4,614,562	5,076,018
2006	527,605	580,366	5,150,867	5,665,954
2007	668,672	735,539	5,678,472	6,246,319
2008	623,558	685,914	6,347,144	6,981,858
2009	835,098	918,608	6,970,702	7,667,772
2010	818,182	900,000	7,805,800	8,586,380
2011	818,182	900,000	8,623,982	9,486,380
2012	818,182	900,000	9,442,164	10,386,380
2013	818,182	900,000	10,260,346	11,286,381
2014	818,182	900,000	11,078,528	12,186,381
2015	818,182	900,000	11,896,710	13,086,381
2016	818,182	900,000	12,714,892	13,986,381
2017	818,182	900,000	13,533,074	14,886,381
2018	818,182	900,000	14,351,256	15,786,382
2019	818,182	900,000	15,169,438	16,686,382
2020	818,182	900,000	15,987,620	17,586,382
2021	818,182	900,000	16,805,802	18,486,382

WASTE ACCEPTANCE RATES (Continued)

Year	Waste Accepted		Waste-In-Place	
	(Mg/year)	*(short tons/year)*	*(Mg)*	*(short tons)*
2022	818,182	900,000	17,623,984	19,386,382
2023	818,182	900,000	18,442,166	20,286,383
2024	818,182	900,000	19,260,348	21,186,383
2025	818,182	900,000	20,078,530	22,086,383
2026	818,182	900,000	20,896,712	22,986,383
2027	818,182	900,000	21,714,894	23,886,383
2028	818,182	900,000	22,533,076	24,786,384
2029	700,722	770,794	23,351,258	25,686,384
2030	0	0	24,051,980	26,457,178
2031	0	0	24,051,980	26,457,178
2032	0	0	24,051,980	26,457,178
2033	0	0	24,051,980	26,457,178
2034	0	0	24,051,980	26,457,178
2035	0	0	24,051,980	26,457,178
2036	0	0	24,051,980	26,457,178
2037	0	0	24,051,980	26,457,178
2038	0	0	24,051,980	26,457,178
2039	0	0	24,051,980	26,457,178
2040	0	0	24,051,980	26,457,178
2041	0	0	24,051,980	26,457,178
2042	0	0	24,051,980	26,457,178
2043	0	0	24,051,980	26,457,178
2044	0	0	24,051,980	26,457,178
2045	0	0	24,051,980	26,457,178
2046	0	0	24,051,980	26,457,178
2047	0	0	24,051,980	26,457,178
2048	0	0	24,051,980	26,457,178
2049	0	0	24,051,980	26,457,178
2050	0	0	24,051,980	26,457,178
2051	0	0	24,051,980	26,457,178
2052	0	0	24,051,980	26,457,178
2053	0	0	24,051,980	26,457,178
2054	0	0	24,051,980	26,457,178
2055	0	0	24,051,980	26,457,178
2056	0	0	24,051,980	26,457,178
2057	0	0	24,051,980	26,457,178
2058	0	0	24,051,980	26,457,178
2059	0	0	24,051,980	26,457,178
2060	0	0	24,051,980	26,457,178
2061	0	0	24,051,980	26,457,178

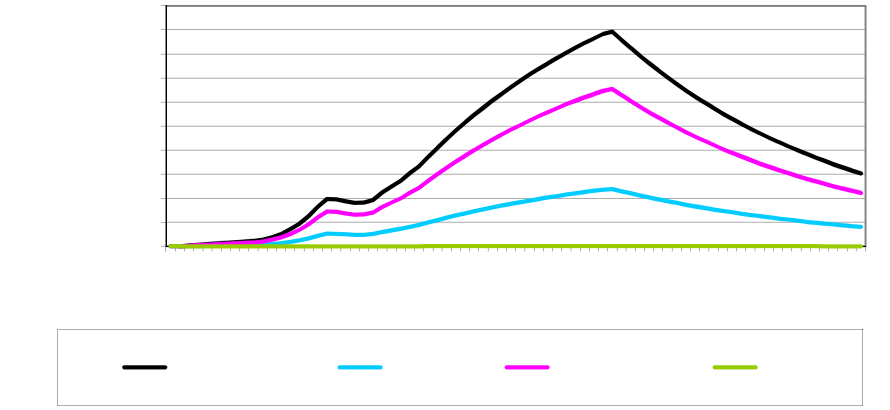
Pollutant Parameters

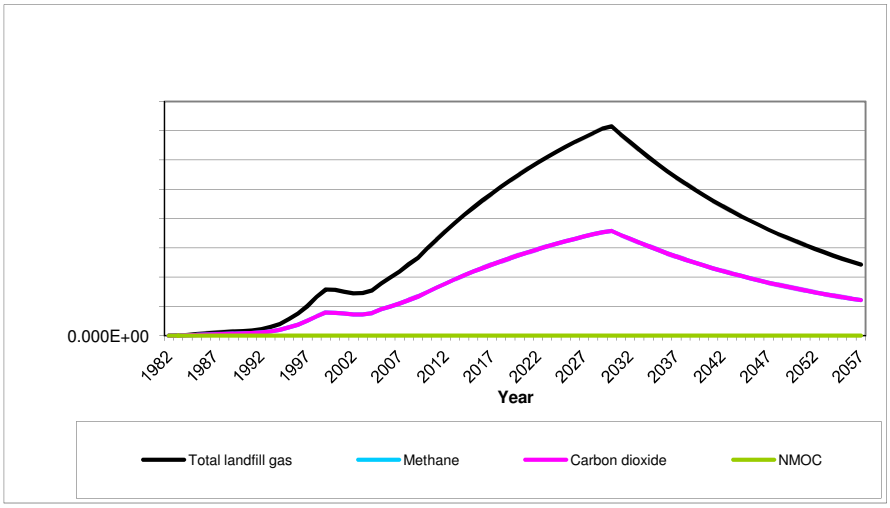
		Gas / Pollutant Default Parameters:		User-specified Pollutant Parameters:	
	Compound	Concentration (*ppmv*)	Molecular Weight	Concentration (*ppmv*)	Molecular Weight
Gases	Total landfill gas		0.00		
	Methane		16.04		
	Carbon dioxide		44.01		
	NMOC	4,000	86.18		
Pollutants	1,1,1-Trichloroethane (methyl chloroform) - HAP	0.48	133.41	0.24	133.40
	1,1,2,2-Tetrachloroethane - HAP/VOC	1.1	167.85	0.54	167.85
	1,1-Dichloroethane (ethylidene dichloride) - HAP/VOC	2.4	98.97	2.08	98.96
	1,1-Dichloroethene (vinylidene chloride) - HAP/VOC	0.20	96.94	0.16	96.94
	1,2-Dichloroethane (ethylene dichloride) - HAP/VOC	0.41	98.96	0.16	98.96
	1,2-Dichloropropane (propylene dichloride) - HAP/VOC	0.18	112.99	0.05	112.99
	2-Propanol (isopropyl alcohol) - VOC	50	60.11	1.80	60.11
	Acetone	7.0	58.08	6.70	58.08
	Acrylonitrile - HAP/VOC	6.3	53.06		
	Benzene - No or Unknown Co-disposal - HAP/VOC	1.9	78.11	2.40	78.11
	Benzene - Co-disposal - HAP/VOC	11	78.11	2.40	78.11
	Bromodichloromethane - VOC	3.1	163.83	0.01	163.83
	Butane - VOC	5.0	58.12	6.22	58.12
	Carbon disulfide - HAP/VOC	0.58	76.13	0.15	76.14
	Carbon monoxide	140	28.01	24.40	28.01
	Carbon tetrachloride - HAP/VOC	4.0E-03	153.84	0.01	153.82
	Carbonyl sulfide - HAP/VOC	0.49	60.07	0.12	60.08
	Chlorobenzene - HAP/VOC	0.25	112.56	0.48	112.56
	Chlorodifluoromethane	1.3	86.47	0.80	86.47
	Chloroethane (ethyl chloride) - HAP/VOC	1.3	64.52	3.95	64.51
	Chloroform - HAP/VOC	0.03	119.39	0.07	119.38
	Chloromethane - VOC	1.2	50.49	0.24	50.49
	Dichlorobenzene - (HAP for para isomer/VOC)	0.21	147	0.94	147.00
	Dichlorodifluoromethane	16	120.91	1.18	120.91
	Dichlorofluoromethane - VOC	2.6	102.92		
	Dichloromethane (methylene chloride) - HAP	14	84.94	6.15	84.93
	Dimethyl sulfide (methyl sulfide) - VOC	7.8	62.13	5.66	62.14
	Ethane	890	30.07	9.05	30.07
	Ethanol - VOC	27	46.08	0.23	46.07

Pollutant Parameters (Continued)

	Compound	Gas / Pollutant Default Parameters: Concentration (*ppmv*)	Molecular Weight	User-specified Pollutant Parameters: Concentration (*ppmv*)	Molecular Weight
Pollutants	Ethyl mercaptan (ethanethiol) - VOC	2.3	62.13	0.20	62.14
	Ethylbenzene - HAP/VOC	4.6	106.16	4.86	106.17
	Ethylene dibromide - HAP/VOC	1.0E-03	187.88	0.00	187.86
	Fluorotrichloromethane - VOC	0.76	137.38	0.25	137.37
	Hexane - HAP/VOC	6.6	86.18	3.10	86.18
	Hydrogen sulfide	36	34.08	32.00	34.08
	Mercury (total) - HAP	2.9E-04	200.61	0.00	200.59
	Methyl ethyl ketone - HAP/VOC	7.1	72.11	4.01	72.11
	Methyl isobutyl ketone - HAP/VOC	1.9	100.16	0.61	100.16
	Methyl mercaptan - VOC	2.5	48.11	1.37	48.11
	Pentane - VOC	3.3	72.15	4.46	72.15
	Perchloroethylene (tetrachloroethylene) - HAP	3.7	165.83	2.03	165.83
	Propane - VOC	11	44.09	0.16	44.10
	t-1,2-Dichloroethene - VOC	2.8	96.94	11.40	96.94
	Toluene - No or Unknown Co-disposal - HAP/VOC	39	92.13	29.50	92.14
	Toluene - Co-disposal - HAP/VOC	170	92.13	29.50	92.14
	Trichloroethylene (trichloroethene) - HAP/VOC	2.8	131.40	0.83	131.39
	Vinyl chloride - HAP/VOC	7.3	62.50	1.42	62.50
	Xylenes - HAP/VOC	12	106.16	9.23	106.17
	Formaldehyde			0.01	30.03

Graphs

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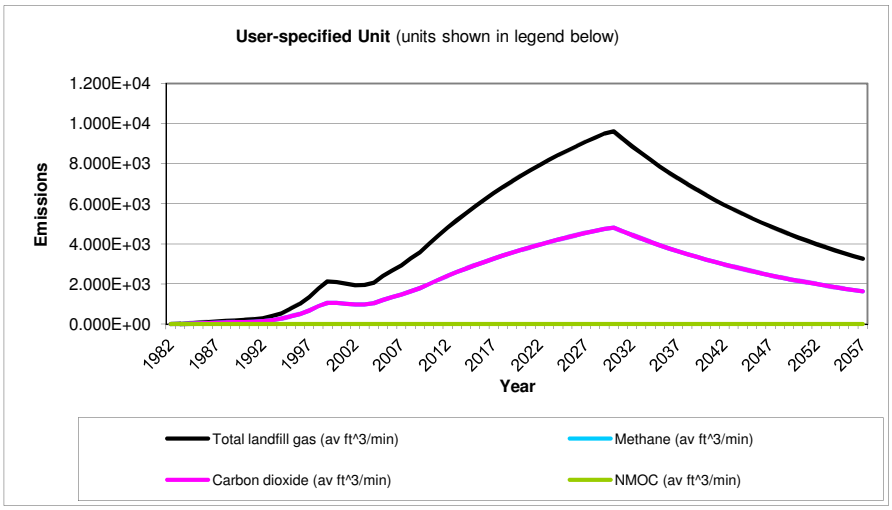
1982
1987
1992
1997
2002
2007
2012
2017
2022
2027
2032
2037
2042
2047
2052
2057
Year
Total landfill gas
Methane
Carbon dioxide
NMOC


User-specified Unit (units shown in legend below)
1.200E+04
1.000E+04
8.000E+03
6.000E+03
4.000E+03
2.000E+03
0.000E+00
Emissions
1982
1987
1992
1997
2002
2007
2012
2017
2022
2027
2032
2037
2042
2047
2052
2057
Year
Total landfill gas (av ft^3/min)
Methane (av ft^3/min)
Carbon dioxide (av ft^3/min)
NMOC (av ft^3/min)

Results

Year	Total landfill gas			Methane		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
1982	0	0	0	0	0	0
1983	1.039E+02	8.320E+04	5.590E+00	2.775E+01	4.160E+04	2.795E+00
1984	7.247E+02	5.803E+05	3.899E+01	1.936E+02	2.901E+05	1.949E+01
1985	1.321E+03	1.058E+06	7.108E+01	3.529E+02	5.289E+05	3.554E+01
1986	1.894E+03	1.517E+06	1.019E+02	5.059E+02	7.583E+05	5.095E+01
1987	2.445E+03	1.958E+06	1.315E+02	6.530E+02	9.788E+05	6.576E+01
1988	2.974E+03	2.381E+06	1.600E+02	7.943E+02	1.191E+06	7.999E+01
1989	3.482E+03	2.788E+06	1.873E+02	9.300E+02	1.394E+06	9.367E+01
1990	3.970E+03	3.179E+06	2.136E+02	1.060E+03	1.590E+06	1.068E+02
1991	4.439E+03	3.555E+06	2.388E+02	1.186E+03	1.777E+06	1.194E+02
1992	5.470E+03	4.380E+06	2.943E+02	1.461E+03	2.190E+06	1.471E+02
1993	7.437E+03	5.955E+06	4.001E+02	1.986E+03	2.977E+06	2.001E+02
1994	1.002E+04	8.021E+06	5.389E+02	2.676E+03	4.011E+06	2.695E+02
1995	1.432E+04	1.147E+07	7.707E+02	3.826E+03	5.735E+06	3.853E+02
1996	1.883E+04	1.508E+07	1.013E+03	5.029E+03	7.538E+06	5.065E+02
1997	2.511E+04	2.011E+07	1.351E+03	6.707E+03	1.005E+07	6.755E+02
1998	3.311E+04	2.651E+07	1.781E+03	8.843E+03	1.326E+07	8.906E+02
1999	3.946E+04	3.160E+07	2.123E+03	1.054E+04	1.580E+07	1.062E+03
2000	3.908E+04	3.129E+07	2.103E+03	1.044E+04	1.565E+07	1.051E+03
2001	3.755E+04	3.007E+07	2.020E+03	1.003E+04	1.503E+07	1.010E+03
2002	3.608E+04	2.889E+07	1.941E+03	9.636E+03	1.444E+07	9.705E+02
2003	3.632E+04	2.908E+07	1.954E+03	9.701E+03	1.454E+07	9.770E+02
2004	3.850E+04	3.083E+07	2.071E+03	1.028E+04	1.541E+07	1.036E+03
2005	4.465E+04	3.575E+07	2.402E+03	1.193E+04	1.788E+07	1.201E+03
2006	4.974E+04	3.983E+07	2.676E+03	1.329E+04	1.991E+07	1.338E+03
2007	5.452E+04	4.366E+07	2.933E+03	1.456E+04	2.183E+07	1.467E+03
2008	6.091E+04	4.878E+07	3.277E+03	1.627E+04	2.439E+07	1.639E+03
2009	6.648E+04	5.323E+07	3.577E+03	1.776E+04	2.662E+07	1.788E+03
2010	7.453E+04	5.968E+07	4.010E+03	1.991E+04	2.984E+07	2.005E+03
2011	8.204E+04	6.569E+07	4.414E+03	2.191E+04	3.285E+07	2.207E+03
2012	8.926E+04	7.148E+07	4.802E+03	2.384E+04	3.574E+07	2.401E+03
2013	9.620E+04	7.703E+07	5.176E+03	2.570E+04	3.852E+07	2.588E+03
2014	1.029E+05	8.237E+07	5.534E+03	2.748E+04	4.118E+07	2.767E+03
2015	1.093E+05	8.750E+07	5.879E+03	2.919E+04	4.375E+07	2.939E+03
2016	1.154E+05	9.242E+07	6.210E+03	3.083E+04	4.621E+07	3.105E+03
2017	1.213E+05	9.716E+07	6.528E+03	3.241E+04	4.858E+07	3.264E+03
2018	1.270E+05	1.017E+08	6.834E+03	3.393E+04	5.085E+07	3.417E+03
2019	1.325E+05	1.061E+08	7.127E+03	3.538E+04	5.304E+07	3.564E+03
2020	1.377E+05	1.103E+08	7.409E+03	3.678E+04	5.514E+07	3.705E+03
2021	1.428E+05	1.143E+08	7.680E+03	3.813E+04	5.715E+07	3.840E+03
2022	1.476E+05	1.182E+08	7.941E+03	3.942E+04	5.909E+07	3.970E+03
2023	1.522E+05	1.219E+08	8.191E+03	4.067E+04	6.095E+07	4.095E+03
2024	1.567E+05	1.255E+08	8.431E+03	4.186E+04	6.274E+07	4.216E+03
2025	1.610E+05	1.289E+08	8.662E+03	4.301E+04	6.446E+07	4.331E+03
2026	1.651E+05	1.322E+08	8.884E+03	4.411E+04	6.611E+07	4.442E+03
2027	1.691E+05	1.354E+08	9.097E+03	4.517E+04	6.770E+07	4.549E+03
2028	1.729E+05	1.384E+08	9.302E+03	4.618E+04	6.922E+07	4.651E+03
2029	1.766E+05	1.414E+08	9.499E+03	4.716E+04	7.069E+07	4.750E+03
2030	1.786E+05	1.430E+08	9.608E+03	4.770E+04	7.150E+07	4.804E+03
2031	1.716E+05	1.374E+08	9.231E+03	4.583E+04	6.869E+07	4.615E+03

Results (Continued)

Year	Total landfill gas			Methane		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
2032	1.648E+05	1.320E+08	8.869E+03	4.403E+04	6.600E+07	4.434E+03
2033	1.584E+05	1.268E+08	8.521E+03	4.230E+04	6.341E+07	4.261E+03
2034	1.522E+05	1.218E+08	8.187E+03	4.065E+04	6.092E+07	4.094E+03
2035	1.462E+05	1.171E+08	7.866E+03	3.905E+04	5.854E+07	3.933E+03
2036	1.405E+05	1.125E+08	7.558E+03	3.752E+04	5.624E+07	3.779E+03
2037	1.350E+05	1.081E+08	7.261E+03	3.605E+04	5.404E+07	3.631E+03
2038	1.297E+05	1.038E+08	6.977E+03	3.464E+04	5.192E+07	3.488E+03
2039	1.246E+05	9.976E+07	6.703E+03	3.328E+04	4.988E+07	3.351E+03
2040	1.197E+05	9.585E+07	6.440E+03	3.197E+04	4.793E+07	3.220E+03
2041	1.150E+05	9.209E+07	6.188E+03	3.072E+04	4.605E+07	3.094E+03
2042	1.105E+05	8.848E+07	5.945E+03	2.951E+04	4.424E+07	2.973E+03
2043	1.062E+05	8.501E+07	5.712E+03	2.836E+04	4.251E+07	2.856E+03
2044	1.020E+05	8.168E+07	5.488E+03	2.725E+04	4.084E+07	2.744E+03
2045	9.800E+04	7.848E+07	5.273E+03	2.618E+04	3.924E+07	2.636E+03
2046	9.416E+04	7.540E+07	5.066E+03	2.515E+04	3.770E+07	2.533E+03
2047	9.047E+04	7.244E+07	4.867E+03	2.416E+04	3.622E+07	2.434E+03
2048	8.692E+04	6.960E+07	4.677E+03	2.322E+04	3.480E+07	2.338E+03
2049	8.351E+04	6.687E+07	4.493E+03	2.231E+04	3.344E+07	2.247E+03
2050	8.024E+04	6.425E+07	4.317E+03	2.143E+04	3.213E+07	2.158E+03
2051	7.709E+04	6.173E+07	4.148E+03	2.059E+04	3.087E+07	2.074E+03
2052	7.407E+04	5.931E+07	3.985E+03	1.978E+04	2.966E+07	1.993E+03
2053	7.116E+04	5.698E+07	3.829E+03	1.901E+04	2.849E+07	1.914E+03
2054	6.837E+04	5.475E+07	3.679E+03	1.826E+04	2.738E+07	1.839E+03
2055	6.569E+04	5.260E+07	3.534E+03	1.755E+04	2.630E+07	1.767E+03
2056	6.312E+04	5.054E+07	3.396E+03	1.686E+04	2.527E+07	1.698E+03
2057	6.064E+04	4.856E+07	3.263E+03	1.620E+04	2.428E+07	1.631E+03
2058	5.826E+04	4.666E+07	3.135E+03	1.556E+04	2.333E+07	1.567E+03
2059	5.598E+04	4.483E+07	3.012E+03	1.495E+04	2.241E+07	1.506E+03
2060	5.378E+04	4.307E+07	2.894E+03	1.437E+04	2.153E+07	1.447E+03
2061	5.168E+04	4.138E+07	2.780E+03	1.380E+04	2.069E+07	1.390E+03
2062	4.965E+04	3.976E+07	2.671E+03	1.326E+04	1.988E+07	1.336E+03
2063	4.770E+04	3.820E+07	2.567E+03	1.274E+04	1.910E+07	1.283E+03
2064	4.583E+04	3.670E+07	2.466E+03	1.224E+04	1.835E+07	1.233E+03
2065	4.404E+04	3.526E+07	2.369E+03	1.176E+04	1.763E+07	1.185E+03
2066	4.231E+04	3.388E+07	2.276E+03	1.130E+04	1.694E+07	1.138E+03
2067	4.065E+04	3.255E+07	2.187E+03	1.086E+04	1.628E+07	1.094E+03
2068	3.906E+04	3.127E+07	2.101E+03	1.043E+04	1.564E+07	1.051E+03
2069	3.752E+04	3.005E+07	2.019E+03	1.002E+04	1.502E+07	1.009E+03
2070	3.605E+04	2.887E+07	1.940E+03	9.630E+03	1.443E+07	9.699E+02
2071	3.464E+04	2.774E+07	1.864E+03	9.253E+03	1.387E+07	9.318E+02
2072	3.328E+04	2.665E+07	1.791E+03	8.890E+03	1.332E+07	8.953E+02
2073	3.198E+04	2.560E+07	1.720E+03	8.541E+03	1.280E+07	8.602E+02
2074	3.072E+04	2.460E+07	1.653E+03	8.206E+03	1.230E+07	8.265E+02
2075	2.952E+04	2.364E+07	1.588E+03	7.884E+03	1.182E+07	7.941E+02
2076	2.836E+04	2.271E+07	1.526E+03	7.575E+03	1.135E+07	7.629E+02
2077	2.725E+04	2.182E+07	1.466E+03	7.278E+03	1.091E+07	7.330E+02
2078	2.618E+04	2.096E+07	1.409E+03	6.993E+03	1.048E+07	7.043E+02
2079	2.515E+04	2.014E+07	1.353E+03	6.719E+03	1.007E+07	6.767E+02
2080	2.417E+04	1.935E+07	1.300E+03	6.455E+03	9.676E+06	6.501E+02
2081	2.322E+04	1.859E+07	1.249E+03	6.202E+03	9.297E+06	6.246E+02
2082	2.231E+04	1.786E+07	1.200E+03	5.959E+03	8.932E+06	6.001E+02

Results (Continued)

Year	Total landfill gas			Methane		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
2083	2.143E+04	1.716E+07	1.153E+03	5.725E+03	8.582E+06	5.766E+02
2084	2.059E+04	1.649E+07	1.108E+03	5.501E+03	8.245E+06	5.540E+02
2085	1.979E+04	1.584E+07	1.065E+03	5.285E+03	7.922E+06	5.323E+02
2086	1.901E+04	1.522E+07	1.023E+03	5.078E+03	7.611E+06	5.114E+02
2087	1.827E+04	1.463E+07	9.827E+02	4.879E+03	7.313E+06	4.914E+02
2088	1.755E+04	1.405E+07	9.442E+02	4.687E+03	7.026E+06	4.721E+02
2089	1.686E+04	1.350E+07	9.072E+02	4.504E+03	6.751E+06	4.536E+02
2090	1.620E+04	1.297E+07	8.716E+02	4.327E+03	6.486E+06	4.358E+02
2091	1.556E+04	1.246E+07	8.374E+02	4.157E+03	6.232E+06	4.187E+02
2092	1.495E+04	1.197E+07	8.046E+02	3.994E+03	5.987E+06	4.023E+02
2093	1.437E+04	1.151E+07	7.730E+02	3.838E+03	5.753E+06	3.865E+02
2094	1.380E+04	1.105E+07	7.427E+02	3.687E+03	5.527E+06	3.714E+02
2095	1.326E+04	1.062E+07	7.136E+02	3.543E+03	5.310E+06	3.568E+02
2096	1.274E+04	1.020E+07	6.856E+02	3.404E+03	5.102E+06	3.428E+02
2097	1.224E+04	9.804E+06	6.587E+02	3.270E+03	4.902E+06	3.294E+02
2098	1.176E+04	9.420E+06	6.329E+02	3.142E+03	4.710E+06	3.164E+02
2099	1.130E+04	9.050E+06	6.081E+02	3.019E+03	4.525E+06	3.040E+02
2100	1.086E+04	8.695E+06	5.842E+02	2.901E+03	4.348E+06	2.921E+02
2101	1.043E+04	8.354E+06	5.613E+02	2.787E+03	4.177E+06	2.807E+02
2102	1.002E+04	8.027E+06	5.393E+02	2.678E+03	4.013E+06	2.697E+02
2103	9.631E+03	7.712E+06	5.182E+02	2.573E+03	3.856E+06	2.591E+02
2104	9.253E+03	7.410E+06	4.979E+02	2.472E+03	3.705E+06	2.489E+02
2105	8.891E+03	7.119E+06	4.783E+02	2.375E+03	3.560E+06	2.392E+02
2106	8.542E+03	6.840E+06	4.596E+02	2.282E+03	3.420E+06	2.298E+02
2107	8.207E+03	6.572E+06	4.416E+02	2.192E+03	3.286E+06	2.208E+02
2108	7.885E+03	6.314E+06	4.242E+02	2.106E+03	3.157E+06	2.121E+02
2109	7.576E+03	6.067E+06	4.076E+02	2.024E+03	3.033E+06	2.038E+02
2110	7.279E+03	5.829E+06	3.916E+02	1.944E+03	2.914E+06	1.958E+02
2111	6.994E+03	5.600E+06	3.763E+02	1.868E+03	2.800E+06	1.881E+02
2112	6.719E+03	5.381E+06	3.615E+02	1.795E+03	2.690E+06	1.808E+02
2113	6.456E+03	5.170E+06	3.473E+02	1.724E+03	2.585E+06	1.737E+02
2114	6.203E+03	4.967E+06	3.337E+02	1.657E+03	2.483E+06	1.669E+02
2115	5.960E+03	4.772E+06	3.206E+02	1.592E+03	2.386E+06	1.603E+02
2116	5.726E+03	4.585E+06	3.081E+02	1.529E+03	2.292E+06	1.540E+02
2117	5.501E+03	4.405E+06	2.960E+02	1.469E+03	2.203E+06	1.480E+02
2118	5.286E+03	4.232E+06	2.844E+02	1.412E+03	2.116E+06	1.422E+02
2119	5.078E+03	4.067E+06	2.732E+02	1.356E+03	2.033E+06	1.366E+02
2120	4.879E+03	3.907E+06	2.625E+02	1.303E+03	1.954E+06	1.313E+02
2121	4.688E+03	3.754E+06	2.522E+02	1.252E+03	1.877E+06	1.261E+02
2122	4.504E+03	3.607E+06	2.423E+02	1.203E+03	1.803E+06	1.212E+02

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
1982	0	0	0	0	0	0
1983	7.615E+01	4.160E+04	2.795E+00	1.789E-01	4.992E+01	3.354E-03
1984	5.311E+02	2.901E+05	1.949E+01	1.248E+00	3.482E+02	2.339E-02
1985	9.682E+02	5.289E+05	3.554E+01	2.275E+00	6.347E+02	4.265E-02
1986	1.388E+03	7.583E+05	5.095E+01	3.262E+00	9.100E+02	6.114E-02
1987	1.792E+03	9.788E+05	6.576E+01	4.210E+00	1.175E+03	7.892E-02
1988	2.179E+03	1.191E+06	7.999E+01	5.121E+00	1.429E+03	9.599E-02
1989	2.552E+03	1.394E+06	9.367E+01	5.996E+00	1.673E+03	1.124E-01
1990	2.910E+03	1.590E+06	1.068E+02	6.837E+00	1.907E+03	1.282E-01
1991	3.253E+03	1.777E+06	1.194E+02	7.645E+00	2.133E+03	1.433E-01
1992	4.009E+03	2.190E+06	1.471E+02	9.420E+00	2.628E+03	1.766E-01
1993	5.450E+03	2.977E+06	2.001E+02	1.281E+01	3.573E+03	2.401E-01
1994	7.341E+03	4.011E+06	2.695E+02	1.725E+01	4.813E+03	3.234E-01
1995	1.050E+04	5.735E+06	3.853E+02	2.467E+01	6.882E+03	4.624E-01
1996	1.380E+04	7.538E+06	5.065E+02	3.242E+01	9.045E+03	6.078E-01
1997	1.840E+04	1.005E+07	6.755E+02	4.324E+01	1.206E+04	8.106E-01
1998	2.426E+04	1.326E+07	8.906E+02	5.701E+01	1.591E+04	1.069E+00
1999	2.892E+04	1.580E+07	1.062E+03	6.796E+01	1.896E+04	1.274E+00
2000	2.864E+04	1.565E+07	1.051E+03	6.730E+01	1.878E+04	1.262E+00
2001	2.752E+04	1.503E+07	1.010E+03	6.467E+01	1.804E+04	1.212E+00
2002	2.644E+04	1.444E+07	9.705E+02	6.213E+01	1.733E+04	1.165E+00
2003	2.662E+04	1.454E+07	9.770E+02	6.254E+01	1.745E+04	1.172E+00
2004	2.821E+04	1.541E+07	1.036E+03	6.630E+01	1.850E+04	1.243E+00
2005	3.272E+04	1.788E+07	1.201E+03	7.689E+01	2.145E+04	1.441E+00
2006	3.645E+04	1.991E+07	1.338E+03	8.566E+01	2.390E+04	1.606E+00
2007	3.996E+04	2.183E+07	1.467E+03	9.389E+01	2.619E+04	1.760E+00
2008	4.464E+04	2.439E+07	1.639E+03	1.049E+02	2.927E+04	1.966E+00
2009	4.872E+04	2.662E+07	1.788E+03	1.145E+02	3.194E+04	2.146E+00
2010	5.462E+04	2.984E+07	2.005E+03	1.283E+02	3.581E+04	2.406E+00
2011	6.013E+04	3.285E+07	2.207E+03	1.413E+02	3.942E+04	2.648E+00
2012	6.542E+04	3.574E+07	2.401E+03	1.537E+02	4.289E+04	2.881E+00
2013	7.050E+04	3.852E+07	2.588E+03	1.657E+02	4.622E+04	3.105E+00
2014	7.539E+04	4.118E+07	2.767E+03	1.771E+02	4.942E+04	3.321E+00
2015	8.008E+04	4.375E+07	2.939E+03	1.882E+02	5.250E+04	3.527E+00
2016	8.459E+04	4.621E+07	3.105E+03	1.988E+02	5.545E+04	3.726E+00
2017	8.892E+04	4.858E+07	3.264E+03	2.090E+02	5.829E+04	3.917E+00
2018	9.309E+04	5.085E+07	3.417E+03	2.187E+02	6.102E+04	4.100E+00
2019	9.709E+04	5.304E+07	3.564E+03	2.281E+02	6.365E+04	4.276E+00
2020	1.009E+05	5.514E+07	3.705E+03	2.372E+02	6.616E+04	4.446E+00
2021	1.046E+05	5.715E+07	3.840E+03	2.458E+02	6.859E+04	4.608E+00
2022	1.082E+05	5.909E+07	3.970E+03	2.542E+02	7.091E+04	4.764E+00
2023	1.116E+05	6.095E+07	4.095E+03	2.622E+02	7.314E+04	4.915E+00
2024	1.149E+05	6.274E+07	4.216E+03	2.699E+02	7.529E+04	5.059E+00
2025	1.180E+05	6.446E+07	4.331E+03	2.773E+02	7.735E+04	5.197E+00
2026	1.210E+05	6.611E+07	4.442E+03	2.844E+02	7.934E+04	5.331E+00
2027	1.239E+05	6.770E+07	4.549E+03	2.912E+02	8.124E+04	5.458E+00
2028	1.267E+05	6.922E+07	4.651E+03	2.978E+02	8.307E+04	5.581E+00
2029	1.294E+05	7.069E+07	4.750E+03	3.041E+02	8.483E+04	5.699E+00
2030	1.309E+05	7.150E+07	4.804E+03	3.075E+02	8.580E+04	5.765E+00
2031	1.257E+05	6.869E+07	4.615E+03	2.955E+02	8.243E+04	5.539E+00

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
2032	1.208E+05	6.600E+07	4.434E+03	2.839E+02	7.920E+04	5.321E+00
2033	1.161E+05	6.341E+07	4.261E+03	2.728E+02	7.609E+04	5.113E+00
2034	1.115E+05	6.092E+07	4.094E+03	2.621E+02	7.311E+04	4.912E+00
2035	1.071E+05	5.854E+07	3.933E+03	2.518E+02	7.024E+04	4.720E+00
2036	1.029E+05	5.624E+07	3.779E+03	2.419E+02	6.749E+04	4.535E+00
2037	9.891E+04	5.404E+07	3.631E+03	2.324E+02	6.484E+04	4.357E+00
2038	9.503E+04	5.192E+07	3.488E+03	2.233E+02	6.230E+04	4.186E+00
2039	9.131E+04	4.988E+07	3.351E+03	2.146E+02	5.986E+04	4.022E+00
2040	8.773E+04	4.793E+07	3.220E+03	2.061E+02	5.751E+04	3.864E+00
2041	8.429E+04	4.605E+07	3.094E+03	1.981E+02	5.526E+04	3.713E+00
2042	8.098E+04	4.424E+07	2.973E+03	1.903E+02	5.309E+04	3.567E+00
2043	7.781E+04	4.251E+07	2.856E+03	1.828E+02	5.101E+04	3.427E+00
2044	7.476E+04	4.084E+07	2.744E+03	1.757E+02	4.901E+04	3.293E+00
2045	7.182E+04	3.924E+07	2.636E+03	1.688E+02	4.709E+04	3.164E+00
2046	6.901E+04	3.770E+07	2.533E+03	1.622E+02	4.524E+04	3.040E+00
2047	6.630E+04	3.622E+07	2.434E+03	1.558E+02	4.347E+04	2.920E+00
2048	6.370E+04	3.480E+07	2.338E+03	1.497E+02	4.176E+04	2.806E+00
2049	6.120E+04	3.344E+07	2.247E+03	1.438E+02	4.012E+04	2.696E+00
2050	5.881E+04	3.213E+07	2.158E+03	1.382E+02	3.855E+04	2.590E+00
2051	5.650E+04	3.087E+07	2.074E+03	1.328E+02	3.704E+04	2.489E+00
2052	5.428E+04	2.966E+07	1.993E+03	1.276E+02	3.559E+04	2.391E+00
2053	5.216E+04	2.849E+07	1.914E+03	1.226E+02	3.419E+04	2.297E+00
2054	5.011E+04	2.738E+07	1.839E+03	1.178E+02	3.285E+04	2.207E+00
2055	4.815E+04	2.630E+07	1.767E+03	1.131E+02	3.156E+04	2.121E+00
2056	4.626E+04	2.527E+07	1.698E+03	1.087E+02	3.032E+04	2.038E+00
2057	4.444E+04	2.428E+07	1.631E+03	1.044E+02	2.914E+04	1.958E+00
2058	4.270E+04	2.333E+07	1.567E+03	1.003E+02	2.799E+04	1.881E+00
2059	4.103E+04	2.241E+07	1.506E+03	9.641E+01	2.690E+04	1.807E+00
2060	3.942E+04	2.153E+07	1.447E+03	9.263E+01	2.584E+04	1.736E+00
2061	3.787E+04	2.069E+07	1.390E+03	8.899E+01	2.483E+04	1.668E+00
2062	3.639E+04	1.988E+07	1.336E+03	8.550E+01	2.385E+04	1.603E+00
2063	3.496E+04	1.910E+07	1.283E+03	8.215E+01	2.292E+04	1.540E+00
2064	3.359E+04	1.835E+07	1.233E+03	7.893E+01	2.202E+04	1.480E+00
2065	3.227E+04	1.763E+07	1.185E+03	7.584E+01	2.116E+04	1.422E+00
2066	3.101E+04	1.694E+07	1.138E+03	7.286E+01	2.033E+04	1.366E+00
2067	2.979E+04	1.628E+07	1.094E+03	7.001E+01	1.953E+04	1.312E+00
2068	2.862E+04	1.564E+07	1.051E+03	6.726E+01	1.876E+04	1.261E+00
2069	2.750E+04	1.502E+07	1.009E+03	6.462E+01	1.803E+04	1.211E+00
2070	2.642E+04	1.443E+07	9.699E+02	6.209E+01	1.732E+04	1.164E+00
2071	2.539E+04	1.387E+07	9.318E+02	5.965E+01	1.664E+04	1.118E+00
2072	2.439E+04	1.332E+07	8.953E+02	5.732E+01	1.599E+04	1.074E+00
2073	2.343E+04	1.280E+07	8.602E+02	5.507E+01	1.536E+04	1.032E+00
2074	2.252E+04	1.230E+07	8.265E+02	5.291E+01	1.476E+04	9.918E-01
2075	2.163E+04	1.182E+07	7.941E+02	5.083E+01	1.418E+04	9.529E-01
2076	2.078E+04	1.135E+07	7.629E+02	4.884E+01	1.363E+04	9.155E-01
2077	1.997E+04	1.091E+07	7.330E+02	4.693E+01	1.309E+04	8.796E-01
2078	1.919E+04	1.048E+07	7.043E+02	4.509E+01	1.258E+04	8.451E-01
2079	1.843E+04	1.007E+07	6.767E+02	4.332E+01	1.208E+04	8.120E-01
2080	1.771E+04	9.676E+06	6.501E+02	4.162E+01	1.161E+04	7.801E-01
2081	1.702E+04	9.297E+06	6.246E+02	3.999E+01	1.116E+04	7.496E-01
2082	1.635E+04	8.932E+06	6.001E+02	3.842E+01	1.072E+04	7.202E-01

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
2083	1.571E+04	8.582E+06	5.766E+02	3.691E+01	1.030E+04	6.919E-01
2084	1.509E+04	8.245E+06	5.540E+02	3.547E+01	9.894E+03	6.648E-01
2085	1.450E+04	7.922E+06	5.323E+02	3.408E+01	9.506E+03	6.387E-01
2086	1.393E+04	7.611E+06	5.114E+02	3.274E+01	9.134E+03	6.137E-01
2087	1.339E+04	7.313E+06	4.914E+02	3.146E+01	8.775E+03	5.896E-01
2088	1.286E+04	7.026E+06	4.721E+02	3.022E+01	8.431E+03	5.665E-01
2089	1.236E+04	6.751E+06	4.536E+02	2.904E+01	8.101E+03	5.443E-01
2090	1.187E+04	6.486E+06	4.358E+02	2.790E+01	7.783E+03	5.229E-01
2091	1.141E+04	6.232E+06	4.187E+02	2.680E+01	7.478E+03	5.024E-01
2092	1.096E+04	5.987E+06	4.023E+02	2.575E+01	7.185E+03	4.827E-01
2093	1.053E+04	5.753E+06	3.865E+02	2.474E+01	6.903E+03	4.638E-01
2094	1.012E+04	5.527E+06	3.714E+02	2.377E+01	6.632E+03	4.456E-01
2095	9.720E+03	5.310E+06	3.568E+02	2.284E+01	6.372E+03	4.282E-01
2096	9.339E+03	5.102E+06	3.428E+02	2.195E+01	6.122E+03	4.114E-01
2097	8.973E+03	4.902E+06	3.294E+02	2.109E+01	5.882E+03	3.952E-01
2098	8.621E+03	4.710E+06	3.164E+02	2.026E+01	5.652E+03	3.797E-01
2099	8.283E+03	4.525E+06	3.040E+02	1.946E+01	5.430E+03	3.648E-01
2100	7.958E+03	4.348E+06	2.921E+02	1.870E+01	5.217E+03	3.505E-01
2101	7.646E+03	4.177E+06	2.807E+02	1.797E+01	5.013E+03	3.368E-01
2102	7.347E+03	4.013E+06	2.697E+02	1.726E+01	4.816E+03	3.236E-01
2103	7.058E+03	3.856E+06	2.591E+02	1.659E+01	4.627E+03	3.109E-01
2104	6.782E+03	3.705E+06	2.489E+02	1.594E+01	4.446E+03	2.987E-01
2105	6.516E+03	3.560E+06	2.392E+02	1.531E+01	4.271E+03	2.870E-01
2106	6.260E+03	3.420E+06	2.298E+02	1.471E+01	4.104E+03	2.757E-01
2107	6.015E+03	3.286E+06	2.208E+02	1.413E+01	3.943E+03	2.649E-01
2108	5.779E+03	3.157E+06	2.121E+02	1.358E+01	3.788E+03	2.545E-01
2109	5.552E+03	3.033E+06	2.038E+02	1.305E+01	3.640E+03	2.446E-01
2110	5.335E+03	2.914E+06	1.958E+02	1.254E+01	3.497E+03	2.350E-01
2111	5.125E+03	2.800E+06	1.881E+02	1.204E+01	3.360E+03	2.258E-01
2112	4.925E+03	2.690E+06	1.808E+02	1.157E+01	3.228E+03	2.169E-01
2113	4.731E+03	2.585E+06	1.737E+02	1.112E+01	3.102E+03	2.084E-01
2114	4.546E+03	2.483E+06	1.669E+02	1.068E+01	2.980E+03	2.002E-01
2115	4.368E+03	2.386E+06	1.603E+02	1.026E+01	2.863E+03	1.924E-01
2116	4.196E+03	2.292E+06	1.540E+02	9.861E+00	2.751E+03	1.848E-01
2117	4.032E+03	2.203E+06	1.480E+02	9.474E+00	2.643E+03	1.776E-01
2118	3.874E+03	2.116E+06	1.422E+02	9.103E+00	2.539E+03	1.706E-01
2119	3.722E+03	2.033E+06	1.366E+02	8.746E+00	2.440E+03	1.639E-01
2120	3.576E+03	1.954E+06	1.313E+02	8.403E+00	2.344E+03	1.575E-01
2121	3.436E+03	1.877E+06	1.261E+02	8.073E+00	2.252E+03	1.513E-01
2122	3.301E+03	1.803E+06	1.212E+02	7.757E+00	2.164E+03	1.454E-01

INVENTORY

Landfill Name or Identifier: Liberty Landfill, Inc.

Enter year of emissions inventory: 2030

Gas / Pollutant	Emission Rate				
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(ft^3/year)*	*(short tons/year)*
Total landfill gas	1.786E+05	1.430E+08	9.608E+03	5.050E+09	1.964E+05
Methane	4.770E+04	7.150E+07	4.804E+03	2.525E+09	5.247E+04
Carbon dioxide	1.309E+05	7.150E+07	4.804E+03	2.525E+09	1.440E+05
NMOC	3.075E+02	8.580E+04	5.765E+00	3.030E+06	3.383E+02
1,1,1-Trichloroethane (methyl chloroform) - HAP	1.928E-01	3.475E+01	2.335E-03	1.227E+03	2.121E-01
1,1,2,2-Tetrachloroethane - HAP/VOC	5.341E-01	7.650E+01	5.140E-03	2.702E+03	5.875E-01
1,1-Dichloroethane (ethylidene dichloride) - HAP/VOC	1.224E+00	2.974E+02	1.998E-02	1.050E+04	1.347E+00
1,1-Dichloroethene (vinylidene chloride) - HAP/VOC	9.225E-02	2.288E+01	1.537E-03	8.080E+02	1.015E-01
1,2-Dichloroethane (ethylene dichloride) - HAP/VOC	9.358E-02	2.274E+01	1.528E-03	8.029E+02	1.029E-01
1,2-Dichloropropane (propylene dichloride) - HAP/VOC	3.494E-02	7.436E+00	4.996E-04	2.626E+02	3.844E-02
2-Propanol (isopropyl alcohol) - VOC	6.435E-01	2.574E+02	1.729E-02	9.090E+03	7.078E-01
Acetone	2.314E+00	9.580E+02	6.437E-02	3.383E+04	2.546E+00
Acrylonitrile - HAP/VOC	1.988E+00	9.008E+02	6.053E-02	3.181E+04	2.187E+00
Benzene - No or Unknown Co-disposal - HAP/VOC	1.115E+00	3.432E+02	2.306E-02	1.212E+04	1.226E+00
Benzene - Co-disposal - HAP/VOC	1.115E+00	3.432E+02	2.306E-02	1.212E+04	1.226E+00
Bromodichloromethane - VOC	8.555E-03	1.255E+00	8.435E-05	4.434E+01	9.410E-03
Butane - VOC	2.150E+00	8.894E+02	5.976E-02	3.141E+04	2.365E+00
Carbon disulfide - HAP/VOC	6.657E-02	2.102E+01	1.412E-03	7.423E+02	7.322E-02
Carbon monoxide	4.065E+00	3.489E+03	2.344E-01	1.232E+05	4.471E+00
Carbon tetrachloride - HAP/VOC	7.300E-03	1.141E+00	7.667E-05	4.030E+01	8.030E-03
Carbonyl sulfide - HAP/VOC	4.359E-02	1.744E+01	1.172E-03	6.161E+02	4.795E-02
Chlorobenzene - HAP/VOC	3.240E-01	6.921E+01	4.650E-03	2.444E+03	3.564E-01
Chlorodifluoromethane	4.094E-01	1.138E+02	7.648E-03	4.020E+03	4.503E-01
Chloroethane (ethyl chloride) - HAP/VOC	1.515E+00	5.648E+02	3.795E-02	1.995E+04	1.667E+00
Chloroform - HAP/VOC	5.027E-02	1.012E+01	6.802E-04	3.575E+02	5.530E-02
Chloromethane - VOC	7.327E-02	3.489E+01	2.344E-03	1.232E+03	8.060E-02
Dichlorobenzene - (HAP for para isomer/VOC)	8.218E-01	1.344E+02	9.031E-03	4.747E+03	9.040E-01
Dichlorodifluoromethane	8.485E-01	1.687E+02	1.134E-02	5.959E+03	9.334E-01
Dichlorofluoromethane - VOC	1.591E+00	3.718E+02	2.498E-02	1.313E+04	1.751E+00
Dichloromethane (methylene chloride) - HAP	3.106E+00	8.794E+02	5.909E-02	3.106E+04	3.417E+00
Dimethyl sulfide (methyl sulfide) - VOC	2.092E+00	8.093E+02	5.438E-02	2.858E+04	2.301E+00
Ethane	1.618E+00	1.294E+03	8.695E-02	4.570E+04	1.780E+00
Ethanol - VOC	6.302E-02	3.289E+01	2.210E-03	1.161E+03	6.932E-02
Ethyl mercaptan (ethanethiol) - VOC	7.318E-02	2.831E+01	1.902E-03	9.999E+02	8.049E-02
Ethylbenzene - HAP/VOC	3.069E+00	6.949E+02	4.669E-02	2.454E+04	3.376E+00
Ethylene dibromide - HAP/VOC	5.363E-03	6.864E-01	4.612E-05	2.424E+01	5.899E-03
Fluorotrichloromethane - VOC	2.026E-01	3.546E+01	2.383E-03	1.252E+03	2.229E-01
Hexane - HAP/VOC	1.589E+00	4.433E+02	2.978E-02	1.565E+04	1.748E+00
Hydrogen sulfide	6.486E+00	4.576E+03	3.074E-01	1.616E+05	7.135E+00
Mercury (total) - HAP	1.455E-04	1.744E-02	1.172E-06	6.161E-01	1.601E-04
Methyl ethyl ketone - HAP/VOC	1.720E+00	5.734E+02	3.853E-02	2.025E+04	1.892E+00
Methyl isobutyl ketone - HAP/VOC	3.652E-01	8.765E+01	5.889E-03	3.095E+03	4.017E-01
Methyl mercaptan - VOC	3.920E-01	1.959E+02	1.316E-02	6.918E+03	4.312E-01
Pentane - VOC	1.914E+00	6.377E+02	4.285E-02	2.252E+04	2.105E+00
Perchloroethylene (tetrachloroethylene) - HAP	2.002E+00	2.903E+02	1.950E-02	1.025E+04	2.202E+00
Propane - VOC	4.065E-02	2.216E+01	1.489E-03	7.827E+02	4.472E-02
t-1,2-Dichloroethene - VOC	6.573E+00	1.630E+03	1.095E-01	5.757E+04	7.230E+00
Toluene - No or Unknown Co-disposal - HAP/VOC	1.617E+01	4.218E+03	2.834E-01	1.490E+05	1.778E+01
Toluene - Co-disposal - HAP/VOC	1.617E+01	4.218E+03	2.834E-01	1.490E+05	1.778E+01
Trichloroethylene (trichloroethene) - HAP/VOC	6.470E-01	1.184E+02	7.955E-03	4.181E+03	7.117E-01
Vinyl chloride - HAP/VOC	5.278E-01	2.030E+02	1.364E-02	7.171E+03	5.806E-01
Xylenes - HAP/VOC	5.828E+00	1.320E+03	8.868E-02	4.661E+04	6.411E+00
Formaldehyde	2.090E-03	1.673E+00	1.124E-04	5.908E+01	2.299E-03

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Part 70 Significant Source and Significant Permit Modification

Source Description and Location

Source Name:	Liberty Landfill, Inc.
Source Location:	8635 East SR 16, Monticello, Indiana 47960
County:	White County
SIC Code:	4953
Operation Permit No.:	T 181-29266-00035
Operation Permit Issuance Date:	November 30, 2010
Significant Source Modification No.:	181-31031-00035
Significant Permit Modification No.:	181-31170-00035
Permit Reviewer:	David Matousek

Existing Approvals

The source was issued Part 70 Operating Permit No. T181-29266-00035 on November 30, 2010. The source has not been issued any approvals since the Part 70 Operating Permit Renewal was issued.

County Attainment Status

The source is located in White 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. White 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) $PM_{2.5}$

White County has been classified as attainment for $PM_{2.5}$. On May 8, 2008 U.S. EPA promulgated the requirements for Prevention of Significant Deterioration (PSD) for $PM_{2.5}$ emissions. These rules became effective on July 15, 2008. On May 4, 2011 the air pollution control board issued an emergency rule establishing the direct $PM_{2.5}$ significant level at ten (10) tons per year. This rule became effective, June 28, 2011. Therefore, direct $PM_{2.5}$ and SO_2 emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2. See the State Rule Applicability – Entire Source section.

(c) Other Criteria Pollutants

White County has been classified as attainment or unclassifiable in Indiana for SO_2, CO, PM_{10}, NOx and lead. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

Fugitive Emissions

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, however, there is an applicable New Source Performance Standard or National Emission Standards for Hazardous Air Pollutants that was in effect on August 7, 1980, therefore fugitive emissions are counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

Source Status

The table below summarizes the potential to emit of the entire source, prior to the proposed modification, after consideration of all enforceable limits established in the effective permits:

Pollutant	**Emissions** (ton/yr)
PM	19.49
PM_{10}	19.49
$PM_{2.5}$	19.49
SO_2	29.45
VOC	6.08
CO	317.30
NO_X	232.75
Nonbiogenic GHGs (CO2e)	220,267
Single HAP - Toluene	4.13
Total HAP	19.01

(a) This existing source is a major stationary source, under PSD (326 IAC 2-2), because a regulated pollutant is emitted at a rate of 250 tons per year or more, emissions of GHGs are equal to or greater than one hundred thousand (100,000) tons of CO_2 equivalent emissions (CO_2e) per year, and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1).

(b) This source has the potential to emit 153,913 tons of biogenic CO_2 per year. On July 20, 2011 U.S. EPA issued a deferral of Biogenic CO_2 emissions from PSD and Title V. Therefore, these CO2 emissions were not included in the listed GHG emissions.

(c) These emissions are based upon the technical support document for Part 70 Operating Permit Renewal T 181-29266-00035, issued on November 30, 2010 for PM, PM10, SO2, VOC, CO, NOx, single HAP and total HAP. PM2.5 is assumed to be the same as PM10. Greenhouse gas emission calculations are shown in Appendix A to the TSD.

(d) This existing source is not a major source of HAPs, as defined in 40 CFR 63.2, because HAPs emissions are 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 Modification

The Office of Air Quality (OAQ) has reviewed a modification application, submitted by Liberty Landfill, Inc. on October 14, 2011, relating to the replacement of an existing open flare, identified as FL2, with a maximum heat input rate of 37.1 MMBtu/hr with a new open flare, identified as FL3, with a maximum heat input capacity of 75 MMBtu/hr. The following is a list of the proposed emission unit and pollution control device:

(a) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

Existing flare FL2 will be removed from service prior to the new flare beginning place in service.

Enforcement Issues

There are no pending enforcement actions.

Emission Calculations

See Appendix A of this Technical Support Document for detailed emission calculations.

Permit Level Determination – Part 70

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as "the maximum capacity of a stationary source or emission unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA, IDEM, or the appropriate local air pollution control agency."

The following table is used to determine the appropriate permit level under 326 IAC 2-7-10.5. This table reflects the PTE before controls. Control equipment is not considered federally enforceable until it has been required in a federally enforceable permit.

Increase in PTE Before Controls of the Modification	
Pollutant	**Potential To Emit** (ton/yr)
PM	6.14
PM_{10}	6.14
$PM_{2.5}$	6.14
SO_2	18.86
VOC	1.99
CO	121.55
NO_X	22.34
Single HAPs	< 10
Total HAPs	< 25

This source modification is subject to 326 IAC 2-7-10.5(f)(1), because the potential to emit CO is in excess of 100 TPY and the modification would be subject to 326 IAC 2-2.

Additionally, the modification will be incorporated into the Part 70 Operating Permit through a significant permit modification issued pursuant to 326 IAC 2-7-12(d)(1), because the modification requires the case by case determination of an emission limit or other standard.

Permit Level Determination – PSD

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of this Part 70 permit modification, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

	Projected Increase in Actual Emissions (ton/yr)							
Process / Emission Unit	**PM**	**PM_{10}**	**$PM_{2.5}$***	**SO_2**	**VOC**	**CO**	**NO_X**	**GHGs**
Past Actual Emissions Old Flare	1.27	1.27	1.27	3.89	0.41	24.84	4.57	53
The Flare Could Have Accommodated	2.26	2.26	2.26	6.40	0.73	35.28	6.48	100
Potential to Emit New Flare	6.14	6.14	6.14	18.86	1.99	121.55	22.34	262
Total for Modification	2.61	2.61	2.61	8.57	0.85	61.43	11.29	109
Significant Level	25	15	10	40	40	100	40	75,000 CO_2e

*$PM_{2.5}$ listed is direct $PM_{2.5}$.

The Permittee has provided information as part of the application for this approval that based on Actual to Projected Actual Test in 326 IAC 2-2-2, this modification at a major stationary source will not be major for Prevention of Significant Deterioration under 326 IAC 2-2-1. IDEM, OAQ has not reviewed this information and will not be making any determination in this regard as part of this approval. The applicant will be required to keep records and report in accordance with Source obligation in 326 IAC 2-2-8.

Federal Rule Applicability Determination

The following federal rules are applicable to the source due to this modification:

NSPS:

(a) This source is subject to the New Source Performance Standards for for Municipal Solid Waste Landfills (40 CFR 60.750, Subpart WWW), which is incorporated by reference as 326 IAC 12. The facilities subject to this rule include the following:

1) One (1) solid waste disposal facility, as defined in 40 CFR 60.751, constructed in 1982, modified in 1993, and 2009, with a maximum design capacity of 35.35 million cubic yards (24.05 million megagrams). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]

2) One (1) gas collection system (GCS) designed and having a capacity in accordance with the applicable provisions of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA.

3) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

4) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

This source is subject to the following portions of Subpart WWW:

(1) 40 CFR 60.750;
(2) 40 CFR 60.751;
(3) 40 CFR 60.752;
(4) 40 CFR 60.753;
(5) 40 CFR 60.754;
(6) 40 CFR 60.755;
(7) 40 CFR 60.756;
(8) 40 CFR 60.757;
(9) 40 CFR 60.758; and
(10) 40 CFR 60.759.

NESHAP:

(b) This source source is subject to the National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills (40 CFR 63.1930, Subpart AAAA), which is incorporated by reference as 326 IAC 20-67. The facilities subject to this rule include the following:

1) One (1) solid waste disposal facility, as defined in 40 CFR 60.751, constructed in 1982, modified in 1993, and 2009, with a maximum design capacity of 35.35 million cubic yards (24.05 million megagrams). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]

2) One (1) gas collection system (GCS) designed and having a capacity in accordance with the applicable provisions of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA.

3) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

4) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

This source is subject to the following portions of Subpart AAAA:

(1) 40 CFR 63.1930;
(2) 40 CFR 63.1935;
(3) 40 CFR 63.1940;
(4) 40 CFR 63.1945;
(5) 40 CFR 63.1950;
(6) 40 CFR 63.1955;
(7) 40 CFR 63.1960;
(8) 40 CFR 63.1965;
(9) 40 CFR 63.1975;
(10) 40 CFR 63.1980;
(11) 40 CFR 63.1985;

(12) 40 CFR 63.1990; and
(13) Table 1 to Subpart AAAA of Part 63.

The provisions of 40 CFR 63 Subpart A – General Provisions, which are incorporated as 326 IAC 20-1-1, apply to the facility described in this section except when otherwise specified in 40 CFR 63 Subpart AAAA.

CAM

(c) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to new or modified emission units that involve a pollutant-specific emission unit and meet the following criteria:

(1) has a potential to emit before controls equal to or greater than the Part 70 major source threshold for the pollutant involved;

(2) is subject to an emission limitation or standard for that pollutant; and

(3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

Flare FL3 has a potential to emit CO in excess of the Part 70 major source threshold (100 TPY); however, a control device is not used. Based on this evaluation, the requirements of 40 CFR Part 64, CAM are not applicable to flare FL3 as part of this modification.

State Rule Applicability Determination

The following state rules are applicable to the source due to the modification:

326 IAC 2-2 Prevention of Significant Deterioration (PSD)
PSD applicability is discussed under the Permit Level Determination – PSD section.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))
The operation of flare FL3 will emit less than ten (10) tons per year for a single HAP and less than twenty-five (25) tons per year for a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

326 IAC 5-1 (Opacity Regulations)
This rule applies to opacity, not including condensed water vapor, emitted by or from a facility or source. This rule applies to this source. Opacity shall not exceed the following limitations:

(1) Opacity shall not exceed an average of fourty percent (40%) in any one (1) six (6) minute averaging period.

(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.

326 IAC 6.5 (Particulate Matter Limitations Except Lake County)
326 IAC 6.5 applies to source located in Clark, Dearborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo or Wayne counties. Liberty Landfill, Inc. is located in White County; therefore, this rule does not apply.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)
This rule applies to all emission units with a potential to emit twenty-five (25) tons per year or ten (10) pounds per hour of sulfur dioxide. Flare FL3 has the potential to emit SO2 of less than 25 TPY; therefore, this rule does not apply.

326 IAC 8-1-6 (New Facilities; General Reduction Requirements)
This rule applies to new facilities (as of January 1, 1980) that have potential emissions of 25 TPY or more of VOC and are not otherwise regulated by 326 IAC 8, 326 IAC 20-48 or 326 IAC 20-56. Flare FL3 has a potential to emit VOC of less than 25 TPY; therefore, 326 IAC 8-1-6 does not apply.

326 IAC 8-8.1 (Municipal Solid Waste Landfills Not Located in Clark, Floyd, Lake and Porter Counties)
This rule applies to any existing solid municipal solid waste (MSW) landfill located in any county except Clark, Floyd, Lake and Porter counties. Liberty Landfill, Inc. is locate in White County; therefore, this rule applies. Compliance with 40 CFR 60, Subpart WWW ensures compliance with 326 IAC 8-8.1. See the Federal Rule Applicability Determination section for the applicable requirements.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions; however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs, IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

No Compliance Determination Requirements are proposed as part of this modification other than the requirements of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA.

No Compliance Monitoring Requirements are proposed as part of this modification other than the requirements of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA.

Proposed Changes

The changes listed below have been made to Part 70 Operating Permit No. 181-29266-00035. Deleted language appears as ~~strikethroughs~~ and new language appears in **bold**:

Modification No. 1:

Section A Emission Unit Descriptions
Landfill Flare FL3 and rule citations for flare FL2 were added to the permit. Existing landfill flare FL2 must remain in the permit until it is removed from the site.

A.2 Emission Units and Pollution Control Equipment Summary
[326 IAC 2-7-4(c)(3)][326 IAC 2-7-5(15)]

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

****

(e) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass.
[40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

(f) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

Emission Limitations and Standards
The Facility Description Box in Section D.1 has been modified to add existing flare FL2 and proposed flare FL3. The flares were added to include enforceable permit conditions requiring the shutdown of flare FL2 before flare FL3 is placed in service. This is required to ensure the modification does not result in a violation of 326 IAC 2-2 Prevention of Significant Deterioration. The revised Facility description box is shown below:

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

(a) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass.
[40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

(b) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

Insignificant Activities

(~~a~~**c**) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6, consisting of one (1) parts washing station, constructed in 2004, with a maximum capacity of 20 gallons. [326 IAC 8-3-2] [326 IAC 8-3-5]

(~~b~~**d**) Degreasing operations that do not exceed 145 gallons per 12 months, except if subject to 326 IAC 20-6, consisting of one (1) parts washing station, constructed in 2009, with a maximum capacity of 20 gallons. [326 IAC 8-3-2] [326 IAC 8-3-5]

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

Modification No. 2:

Prevention of Significant Deterioration Minor Limit
Condition D.1.3 was added to the permit to ensure the requirements of 326 IAC 2-2 do not apply to this modification. This is a Title I change to the permit. The proposed condition is shown below:

D.1.3 Prevention of Significant Deterioration (PSD) Minor Limit [326 IAC 2-2]

In order to render the requirements of 326 IAC 2-2 not applicable to significant source modification 181-31031-00035, the Permittee shall:

(1) remove landfill flare FL2 from service prior to placing landfill flare FL3 in permanent continuous operation. This does not prohibit startup testing of the newly installed flare.

(2) remove landfill flare FL2 from the source within 180 days of startup of landfill flare FL3.

Removal of the existing flare, identified as FL2, is required to ensure the increase in CO emissions for the flare replacement project are less than 100 tons per year and will render the requirements of 326 IAC 2-2 not applicable to significant source modification 181-31031-00035.

Modification No. 3:

Facility Description Box - Section E.1
The facility description box in section D.1 was revised to add flare FL3 and to include NSPS and NESHAP rule citations for flare FL2. Revisions to the facility description box is shown below:

SECTION E.1 New Source Performance Standards (NSPS) [40 CFR Part 60] [326 IAC 12]

Emissions Unit Description [326 IAC 2-7-5(15)]:

(a) One (1) solid waste disposal facility, as defined in 40 CFR 60.751, constructed in 1982, modified in 1993, and 2009, with a maximum design capacity of 35.35 million cubic yards (24.05 million megagrams). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]

(b) One (1) gas collection system (GCS) designed and having a capacity in accordance with the applicable provisions of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA.

(~~e~~**c**) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass. **[40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]**

(d) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

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

Modification No. 4:

40 CFR 60, Subpart WWW Applicable Portions
Existing Condition E.1.2 has been revised to update the applicable portions of Subpart WWW as a result of the addition of flare FL3. Revisions are shown below:

E.1.2 Standards of Performance for Municipal Solid Waste Landfills (NSPS) [326 IAC 12] [40 CFR 60, Subpart WWW]

Pursuant to 40 CFR 60 Subpart WWW, the Permittee shall comply with the provisions of 40 CFR 60 Subpart WWW, included as Attachment A which are incorporated as 326 IAC 12-1 for the municipal solid waste sanitary landfill, the gas collection system (GCS), and the open flare as specified as follows:

~~(1) 40 CFR 60.750;~~
~~(2) 40 CFR 60.751;~~
~~(3) 40 CFR 60.752(b)(2);~~
~~(4) 40 CFR 60.752(d);~~
~~(5) 40 CFR 60.753;~~
~~(6) 40 CFR 60.754(b);~~
~~(7) 40 CFR 60.754(c);~~
~~(8) 40 CFR 60.754(d);~~
~~(9) 40 CFR 60.756(a);~~
~~(10) 40 CFR 60.756(b)(1);~~

~~(11) 40 CFR 60.756(c)(1);~~
~~(12) 40 CFR 60.756(d);~~
~~(13) 40 CFR 60.756(e);~~
~~(14) 40 CFR 60.756(f);~~
~~(15) 40 CFR 60.757(c);~~
~~(16) 40 CFR 60.757(d);~~
~~(17) 40 CFR 60.757(e);~~
~~(18) 40 CFR 60.757(f)(1),(3),(4),(5),(6);~~
~~(19) 40 CFR 60.758(a);~~
~~(20) 40 CFR 60.758(b);~~
~~(21) 40 CFR 60.758(c)(1),(30,(4) and~~
~~(22) 40 CFR 60.759.~~
(1) 40 CFR 60.750;
(2) 40 CFR 60.751;
(3) 40 CFR 60.752;
(4) 40 CFR 60.753;
(5) 40 CFR 60.754;
(6) 40 CFR 60.755;
(7) 40 CFR 60.756;
(8) 40 CFR 60.757;
(9) 40 CFR 60.758; and
(10) 40 CFR 60.759.

Modification No. 5:

Facility Description Box - Section E.4
The facility description box was revised to include the gas collection system, flare FL2 and flare FL3. Both flares are subject to 40 CFR 63 Subpart AAAA. Revisions are shown below:

SECTION E.4 National Emission Standards for Hazardous Air Pollutants: (NESHAP) [40 CFR Part 63] [326 IAC 20-67]

Emissions Unit Description [326 IAC 2-7-5(15)]:

(a) One (1) solid waste disposal facility, as defined in 40 CFR 60.751, constructed in 1982, modified in 1993, and 2009, with a maximum design capacity of 35.35 million cubic yards (24.05 million megagrams). [40 CFR 60, Subpart WWW] [40 CFR 63, Subpart AAAA]

(b) One (1) gas collection system (GCS) designed and having a capacity in accordance with the applicable provisions of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA.

(c) One (1) open flare, identified as FL2, constructed in 2005, with a maximum heat input capacity of 37.1 MMBtu per hour and a maximum flow rate of 1,362 scfm of landfill gas, and exhausting through stack FS2. This flare does not have a bypass. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

(d) One (1) open flare, identified as FL3, approved for construction in 2012, with a maximum heat input rate of 75 MMBtu/hr and a maximum landfill gas flow rate of 2,500 SCFM. [40 CFR 60, Subpart WWW][40 CFR 63, Subpart AAAA]

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

Modification No. 6:

40 CFR 63, Subpart AAAA Applicable Portions
Original Condition E.4.2 has been updated to include the applicable portions for flare FL3. Revisions are shown below:

E.4.2 National Emission Standards for Hazardous Air Pollutants (NESHAP)
[40 CFR 63, Subpart AAAA] [326 IAC 20]

Pursuant to 40 CFR 63 Subpart AAAA, the Permittee shall comply with the provisions of 40 CFR 63 Subpart AAAA, Attachment D which are incorporated as 326 IAC 20-1-1 for the municipal solid waste landfill, as specified as follows:

~~(1) 40 CFR 63.1930;~~
~~(2) 40 CFR 63.1935;~~
~~(3) 40 CFR 63.1940;~~
~~(4) 40 CFR 63.1945;~~
~~(5) 40 CFR 63.1950;~~
~~(6) 40 CFR 63.1955(a) & (b) & (c);~~
~~(7) 40 CFR 63.1960;~~
~~(8) 40 CFR 63.1965;~~
~~(9) 40 CFR 63.1975;~~
~~(10) 40 CFR 63.1980(a) & (b);~~
~~(11) 40 CFR 63.1985;~~
~~(12) 40 CFR 63.1990; and~~
~~(13) Table 1 to Subpart AAAA of Part 63.~~
(1) 40 CFR 63.1930;
(2) 40 CFR 63.1935;
(3) 40 CFR 63.1940;
(4) 40 CFR 63.1945;
(5) 40 CFR 63.1950;
(6) 40 CFR 63.1955;
(7) 40 CFR 63.1960;
(8) 40 CFR 63.1965;
(9) 40 CFR 63.1975;
(10) 40 CFR 63.1980;
(11) 40 CFR 63.1985;
(12) 40 CFR 63.1990; and
(13) Table 1 to Subpart AAAA of Part 63.

Modification No. 7:

40 CFR 60, Subpart JJJJ Update
40 CFR 60, Subpart JJJJ was updated after issuance of the Part 70 Operating Permit Renewal. The attachment containing the complete text of 40 CFR 60, Subpart JJJJ has been removed and replaced with the most current version, June 28, 2011. Revisions are shown below:

~~Attachment B – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines~~
~~[40 CFR Part 60, Subpart JJJJ] [326 IAC 12]~~

~~Source Description and Location~~	
~~Source Name:~~	~~Liberty Landfill, Inc.~~
~~Source Location:~~	~~8635 East State Road 16, Monticello, Indiana 47960~~
~~County:~~	~~White~~
~~SIC Code:~~	~~4953~~
~~Permit Renewal No.:~~	~~T181-29266-00035~~
~~Permit Reviewer:~~	~~Kimberley Malley~~

~~NESHAP [40 CFR Part 60, Subpart JJJJ]~~

~~Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines~~

~~**Source:** 73 FR 3591, Jan. 18, 2008, unless otherwise noted.~~

~~What This Subpart Covers~~
~~§ 60.4230 Am I subject to this subpart?~~

~~(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (5) 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 SI ICE with a maximum engine power less than or equal to 19 kilowatt (KW) (25 horsepower (HP)) that are manufactured on or after July 1, 2008.~~

~~(2) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline fueled or that are rich burn engines fueled by liquefied petroleum gas (LPG), where the date of manufacture is:~~

~~(i) On or after July 1, 2008; or~~

~~(ii) On or after January 1, 2009, for emergency engines.~~

~~(3) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are not gasoline fueled and are not rich burn engines fueled by LPG, where the manufacturer participates in the voluntary manufacturer certification program described in this subpart and where the date of manufacture is:~~

~~(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);~~

~~(ii) On or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;~~

~~(iii) On or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or~~

~~(iv) On or after January 1, 2009, for emergency engines.~~

~~(4) Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:~~

~~(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);~~

~~(ii) on or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;~~

~~(iii) on or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or~~

~~(iv) on or after January 1, 2009, for emergency engines with a maximum engine power greater than 19 KW (25 HP).~~

~~(5) Owners and operators of stationary SI ICE that commence modification or reconstruction after June 12, 2006.~~

~~(b) The provisions of this subpart are not applicable to stationary SI ICE being tested at an engine 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 as applicable.~~

~~(d) For the purposes of this subpart, stationary SI ICE using alcohol-based fuels are considered gasoline engines.~~

~~(e) Stationary SI 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 parts 90 and 1048, 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.~~

~~(f) Owners and operators of facilities with internal combustion engines that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.~~

~~Emission Standards for Manufacturers~~

~~§ 60.4231 What emission standards must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing such engines?~~

~~(a) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008 to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as follows:~~

~~**If engine replacement is . . .**~~	~~**and manufacturing dates are . . .**~~	~~**the engine must meet emission standards and related requirements for nonhandheld engines under . . .**~~
~~(1) below 225 cc~~	~~July 1, 2008 to December 31, 2011~~	~~40 CFR part 90.~~
~~(2) below 225 cc~~	~~January 1, 2012 or later~~	~~40 CFR part 1054.~~
~~(3) at or above 225 cc~~	~~July 1, 2008 to December 31, 2010~~	~~40 CFR part 90.~~
~~(4) at or above 225 cc~~	~~January 1, 2011 or later~~	~~40 CFR part 1054.~~

~~(b) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that use gasoline and that are manufactured on or after the applicable date in §60.4230(a)(2), or manufactured on or after the applicable date in §60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE with a maximum engine power greater than 25 HP and less than 130 HP that are manufactured on or after the applicable date in §60.4230(a)(4) to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cubic centimeters (cc) to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.~~

~~(c) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that are rich burn engines that use LPG and that are manufactured on or after the applicable date in §60.4230(a)(2), or manufactured on or after the applicable date in §60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE with a maximum engine power greater than 25 HP and less than 130 HP that are manufactured on or after the applicable date in §60.4230(a)(4) to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.~~

~~(d) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) under the voluntary manufacturer certification program described in this subpart must certify those engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers who choose to certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP, must certify those engines to the Phase 1 emission standards in 40 CFR 90.103,~~

~~applicable to class II engines, for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate. For stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) manufactured prior to January 1, 2011, manufacturers may choose to certify these engines to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP.~~

~~(e) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) under the voluntary manufacturer certification program described in this subpart must certify those engines to the emission standards in Table 1 to this subpart. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) that are lean burn engines that use LPG to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. For stationary SI ICE with a maximum engine power greater than or equal to 100 HP (75 KW) and less than 500 HP (373 KW) manufactured prior to January 1, 2011, and for stationary SI ICE with a maximum engine power greater than or equal to 500 HP (373 KW) manufactured prior to July 1, 2010, manufacturers may choose to certify these engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048 applicable to engines that are not severe duty engines.~~

~~(f) Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, to the extent they apply to equipment manufacturers.~~

~~[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59175, Oct. 8, 2008]~~

~~§ 60.4232 How long must my engines meet the emission standards if I am a manufacturer of stationary SI internal combustion engines?~~

~~Engines manufactured by stationary SI internal combustion engine manufacturers must meet the emission standards as required in §60.4231 during the certified emissions life of the engines.~~

~~Emission Standards for Owners and Operators~~

~~§ 60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?~~

~~(a) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008, must comply with the emission standards in §60.4231(a) for their stationary SI ICE.~~

~~(b) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in §60.4230(a)(4) that use gasoline must comply with the emission standards in §60.4231(b) for their stationary SI ICE.~~

~~(c) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in §60.4230(a)(4) that are rich burn engines that use LPG must comply with the emission standards in §60.4231(c) for their stationary SI ICE.~~

~~(d) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for field testing in 40 CFR 1048.101(c) for their non-emergency stationary SI ICE and with the emission standards in Table 1 to this subpart for their emergency stationary SI ICE. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) manufactured prior to January 1, 2011, that were certified to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP, may optionally choose to meet those standards.~~

~~(e) Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP (except gasoline and rich burn engines that use LPG) manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in Table 1 to this subpart, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.~~

~~(f) Owners and operators of any modified or reconstructed stationary SI ICE subject to this subpart must meet the requirements as specified in paragraphs (f)(1) through (5) of this section.~~

~~(1) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (a) of this section.~~

~~(2) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that use gasoline engines, that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (b) of this section.~~

~~(3) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are rich burn engines that use LPG, that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (c) of this section.~~

~~(4) Owners and operators of stationary SI natural gas and lean burn LPG engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (d) or (e) of this section, except that such owners and operators of non-emergency engines and emergency engines greater than or equal to 130 HP must meet a nitrogen oxides (NO_X) emission standard of 3.0 grams per HP-hour (g/HP-hr), a CO emission standard of 4.0 g/HP-hr (5.0 g/HP-hr for non-emergency engines less than 100 HP), and a volatile organic compounds (VOC) emission standard of 1.0 g/HP-hr, or a NO_Xemission standard of 250 ppmvd at 15 percent oxygen (O_2), a CO emission standard 540 ppmvd at 15 percent O_2(675 ppmvd at 15 percent $O_2$for non-emergency engines less than 100 HP), and a VOC emission standard of 86 ppmvd at 15 percent O_2, where the date of manufacture of the engine is:~~

~~(i) Prior to July 1, 2007, for non-emergency engines with a maximum engine power greater than or equal to 500 HP;~~

~~(ii) Prior to July 1, 2008, for non-emergency engines with a maximum engine power less than 500 HP;~~

~~(iii) Prior to January 1, 2009, for emergency engines.~~

~~(5) Owners and operators of stationary SI landfill/digester gas ICE engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (e) of this section for stationary landfill/digester gas engines.~~

~~(g) Owners and operators of stationary SI wellhead gas ICE engines may petition the Administrator for approval on a case-by-case basis to meet emission standards no less stringent than the emission standards that apply to stationary emergency SI engines greater than 25 HP and less than 130 HP due to the presence of high sulfur levels in the fuel, as specified in Table 1 to this subpart. The request must, at a minimum, demonstrate that the fuel has high sulfur levels that prevent the use of aftertreatment controls and also that the owner has reasonably made all attempts possible to obtain an engine that will meet the standards without the use of aftertreatment controls. The petition must request the most stringent standards reasonably applicable to the engine using the fuel.~~

~~(h) Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section.~~

~~§ 60.4234 How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?~~

~~Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.~~

~~Other Requirements for Owners and Operators~~

~~§ 60.4235 What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?~~

~~Owners and operators of stationary SI ICE subject to this subpart that use gasoline must use gasoline that meets the per gallon sulfur limit in 40 CFR 80.195.~~

~~§ 60.4236 What is the deadline for importing or installing stationary SI ICE produced in the previous model year?~~

~~(a) After July 1, 2010, owners and operators may not install stationary SI ICE with a maximum engine power of less than 500 HP that do not meet the applicable requirements in §60.4233.~~

~~(b) After July 1, 2009, owners and operators may not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in §60.4233, except that lean burn~~

~~engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP that do not meet the applicable requirements in §60.4233 may not be installed after January 1, 2010.~~

~~(c) For emergency stationary SI ICE with a maximum engine power of greater than 19 KW (25 HP), owners and operators may not install engines that do not meet the applicable requirements in §60.4233 after January 1, 2011.~~

~~(d) In addition to the requirements specified in §§60.4231 and 60.4233, it is prohibited to import stationary SI ICE less than or equal to 19 KW (25 HP), stationary rich burn LPG SI ICE, and stationary gasoline SI ICE that do not meet the applicable requirements specified in paragraphs (a), (b), and (c) of this section, after the date specified in paragraph (a), (b), and (c) of this section.~~

~~(e) The requirements of this section do not apply to owners and operators of stationary SI ICE that have been modified or reconstructed, and they do not apply to engines that were removed from one existing location and reinstalled at a new location.~~

~~§ 60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?~~

~~(a) Starting on July 1, 2010, if the emergency stationary SI internal combustion engine that is greater than or equal to 500 HP that was built on or after July 1, 2010, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.~~

~~(b) Starting on January 1, 2011, if the emergency stationary SI internal combustion engine that is greater than or equal to 130 HP and less than 500 HP that was built on or after January 1, 2011, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.~~

~~(c) If you are an owner or operator of an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter upon startup of your emergency engine.~~

~~Compliance Requirements for Manufacturers~~

~~§ 60.4238 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines ≤19 KW (25 HP) or a manufacturer of equipment containing such engines?~~

~~Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(a) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.~~

~~[73 FR 59176, Oct. 8, 2008]~~

~~§ 60.4239 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that use gasoline or a manufacturer of equipment containing such engines?~~

~~Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(b) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.~~

~~[73 FR 59176, Oct. 8, 2008]~~

~~§ 60.4240 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that are rich burn engines that use LPG or a manufacturer of equipment containing such engines?~~

~~Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(c) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048,~~

~~subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.~~

~~[73 FR 59176, Oct. 8, 2008]~~

~~§ 60.4241 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines participating in the voluntary certification program or a manufacturer of equipment containing such engines?~~

~~(a) Manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to certify their engines to the emission standards in §60.4231(d) or (e), as applicable, under the voluntary certification program described in this subpart. Manufacturers who certify their engines under the voluntary certification program must meet the requirements as specified in paragraphs (b) through (g) of this section. In addition, manufacturers of stationary SI internal combustion engines who choose to certify their engines under the voluntary certification program, must also meet the requirements as specified in §60.4247.~~

~~(b) Manufacturers of engines other than those certified to standards in 40 CFR part 90 or 40 CFR part 1054 must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must follow the same test procedures that apply to large SI nonroad engines under 40 CFR part 1048, but must use the D–1 cycle of International Organization of Standardization 8178–4: 1996(E) (incorporated by reference, see 40 CFR 60.17) or the test cycle requirements specified in Table 5 to 40 CFR 1048.505, except that Table 5 of 40 CFR 1048.505 applies to high load engines only. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.~~

~~(c) Certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, is voluntary, but manufacturers who decide to certify are subject to all of the requirements indicated in this subpart with regard to the engines included in their certification. Manufacturers must clearly label their stationary SI engines as certified or non-certified engines.~~

~~(d) Manufacturers of natural gas fired stationary SI ICE who conduct voluntary certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the definition of pipeline-quality natural gas. The fuel used for certifying stationary SI natural gas engines must meet the definition of pipeline-quality natural gas as described in §60.4248. In addition, the manufacturer must provide information to the owner and operator of the certified stationary SI engine including the specifications of the pipeline-quality natural gas to which the engine is certified and what adjustments the owner or operator must make to the engine when installed in the field to ensure compliance with the emission standards.~~

~~(e) Manufacturers of stationary SI ICE that are lean burn engines fueled by LPG who conduct voluntary certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the specifications in 40 CFR 1065.720.~~

~~(f) Manufacturers may certify their engines for operation using gaseous fuels in addition to pipeline-quality natural gas; however, the manufacturer must specify the properties of that fuel and provide testing information showing that the engine will meet the emission standards specified in §60.4231(d) or (e), as applicable, when operating on that fuel. The manufacturer must also provide instructions for configuring the stationary engine to meet the emission standards on fuels that do not meet the pipeline-quality natural gas definition. The manufacturer must also provide information to the owner and operator of the certified stationary SI engine regarding the configuration that is most conducive to reduced emissions where the engine will be operated on gaseous fuels with different quality than the fuel that it was certified to.~~

~~(g) A stationary SI engine manufacturer may certify an engine family solely to the standards applicable to landfill/digester gas engines as specified in §60.4231(d) or (e), as applicable, but must certify their engines for operation using landfill/digester gas and must add a permanent label stating that the engine is for use only in landfill/digester gas applications. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).~~

~~(h) For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.~~

~~(i) For engines being certified to the voluntary certification standards in Table 1 of this subpart, the VOC measurement shall be made by following the procedures in 40 CFR 1065.260 and 1065.265 in order to determine the total NMHC emissions by using a flame-ionization detector and non-methane cutter. As an alternative to the nonmethane cutter, manufacturers may use a gas chromatograph as allowed under 40 CFR 1065.267 and may measure ethane, as well as methane, for excluding such levels from the total VOC measurement.~~

~~[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59176, Oct. 8, 2008]~~

~~§ 60.4242 What other requirements must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing stationary SI internal combustion engines or a manufacturer of equipment containing such engines?~~

~~(a) Stationary SI internal combustion engine manufacturers must meet the provisions of 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054, as applicable, as well as 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1048 or 1054, except that engines certified pursuant to the voluntary certification procedures in §60.4241 are subject only to the provisions indicated in §60.4247 and are permitted to provide instructions to owners and operators allowing for deviations from certified configurations, if such deviations are consistent with the provisions of paragraphs §60.4241(c) through (f). Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, as applicable. Labels on engines certified to 40 CFR part 1048 must refer to stationary engines, rather than or in addition to nonroad engines, as appropriate.~~

~~(b) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054 for that model year may certify any such family that contains both nonroad 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. This provision also applies to equipment or component manufacturers certifying to standards under 40 CFR part 1060.~~

~~(c) Manufacturers of engine families certified to 40 CFR part 1048 may meet the labeling requirements referred to in paragraph (a) of this section for stationary SI ICE by either adding a separate label containing the information required in paragraph (a) of this section or by adding the words "and stationary" after the word "nonroad" to the label.~~

~~(d) For all engines manufactured on or after January 1, 2011, and for all engines with a maximum engine power greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, a stationary SI engine manufacturer that certifies an engine family solely to the standards applicable to emergency engines must add a permanent label stating that the engines in that family are for emergency use only. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).~~

~~(e) All stationary SI engines subject to mandatory certification 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. Stationary SI engines subject to standards in 40 CFR part 90 may use the provisions in 40 CFR 90.909. Manufacturers of stationary engines with a maximum engine power greater than 25 HP that are not certified to standards and other requirements under 40 CFR part 1048 are subject to the labeling provisions of 40 CFR 1048.20 pertaining to excluded stationary engines.~~

~~(f) For manufacturers of gaseous-fueled stationary engines required to meet the warranty provisions in 40 CFR 90.1103 or 1054.120, we may establish an hour-based warranty period equal to at least the certified emissions life of the engines (in engine operating hours) if we determine that these engines are likely to operate for a number of hours greater than the applicable useful life within 24 months. We will not approve an alternate warranty under this paragraph (f) for nonroad engines. An alternate warranty period approved under this paragraph (f) will be the specified number of engine operating hours or two years, whichever comes first. The engine manufacturer shall request this alternate warranty period in its application for certification or in an earlier submission. We may approve an alternate warranty period for an engine family subject to the following conditions:~~

~~(1) The engines must be equipped with non-resettable hour meters.~~

~~(2) The engines must be designed to operate for a number of hours substantially greater than the applicable certified emissions life.~~

~~(3) The emission-related warranty for the engines may not be shorter than any published warranty offered by the manufacturer without charge for the engines. Similarly, the emission-related warranty for any component shall not be shorter than any published warranty offered by the manufacturer without charge for that component.~~

~~[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]~~

~~Compliance Requirements for Owners and Operators~~

~~§ 60.4243 What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?~~

~~(a) If you are an owner or operator of a stationary SI internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in §60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in §60.4231(a) through (c), as applicable, for the same engine class and maximum engine power. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance. In addition, you must meet one of the requirements specified in (a)(1) and (2) of this section.~~

~~(1) If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator.~~

~~(2) If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be considered a non-certified engine, and you must demonstrate compliance according to (a)(2)(i) through (iii) of this section, as appropriate.~~

~~(i) If you are an owner or operator of a stationary SI internal combustion engine less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator.~~

~~(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup to demonstrate compliance.~~

~~(iii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.~~

~~(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.~~

~~(1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.~~

~~(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in §60.4233(d) or (e) and according to the requirements specified in §60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.~~

~~(i) If you are an owner or operator of a stationary SI internal combustion engine greater than 25 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance.~~

~~(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.~~

~~(c) If you are an owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in §60.4233(f), you must demonstrate compliance according paragraph (b)(2)(i) or (ii) of this section, except that if you comply according to paragraph (b)(2)(i) of this section, you demonstrate that your non-certified engine complies with the emission standards specified in §60.4233(f).~~

~~(d) 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. The owner or operator 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. Emergency stationary ICE may operate up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this section, is prohibited.~~

~~(e) Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of §60.4233.~~

~~(f) If you are an owner or operator of a stationary SI internal combustion engine that is less than or equal to 500 HP and you purchase a non-certified engine or you do not operate and maintain your certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, you are required to perform initial performance testing as indicated in this section, but you are not required to conduct subsequent performance testing unless the stationary engine is rebuilt or undergoes major repair or maintenance. A rebuilt stationary SI ICE means an engine that has been rebuilt as that term is defined in 40 CFR 94.11(a).~~

~~(g) It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.~~

~~(h) If you are an owner/operator of an stationary SI internal combustion engine with maximum engine power greater than or equal to 500 HP that is manufactured after July 1, 2007 and before July 1, 2008, and must comply with the emission standards specified in sections 60.4233(b) or (c), you must comply by one of the methods specified in paragraphs (h)(1) through (h)(4) of this section.~~

~~(1) Purchasing an engine certified according to 40 CFR part 1048. 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.~~

~~Testing Requirements for Owners and Operators~~

~~§ 60.4244 What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?~~

~~Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of this section.~~

~~(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in §60.8 and under the specific conditions that are specified by Table 2 to this subpart.~~

~~(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.~~

~~(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 be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.~~

~~(d) To determine compliance with the NO_x mass per unit output emission limitation, convert the concentration of NO_x in the engine exhaust using Equation 1 of this section:~~

$$\cancel{ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{HP - hr} \quad (Eq. 1)}$$

~~Where:~~

~~ER = Emission rate of NO_x in g/HP-hr.~~

~~C_d = Measured NO_x concentration in parts per million by volume (ppmv).~~

~~1.912×10^{-3} = Conversion constant for ppm NO_x to grams per standard cubic meter at 20 degrees Celsius.~~

~~Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.~~

~~T = Time of test run, in hours.~~

~~HP-hr = Brake work of the engine, horsepower-hour (HP-hr).~~

~~(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:~~

$$\cancel{ER = \frac{C_d \times 1.164 \times 10^{-3} \times Q \times T}{HP - hr} \quad (Eq. 2)}$$

~~Where:~~

~~ER = Emission rate of CO in g/HP-hr.~~

~~Cd= Measured CO concentration in ppmv.~~

~~1.164×10^{-3} = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.~~

~~Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.~~

~~T = Time of test run, in hours.~~

~~HP-hr = Brake work of the engine, in HP-hr.~~

~~(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:~~

$$\cancel{ER = \frac{C_d \times 1.833 \times 10^{-3} \times Q \times T}{HP - hr} \quad (Eq. 3)}$$

~~Where:~~

~~ER = Emission rate of VOC in g/HP-hr.~~

~~Cd= VOC concentration measured as propane in ppmv.~~

~~1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.~~

~~Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.~~

~~T = Time of test run, in hours.~~

~~HP-hr = Brake work of the engine, in HP-hr.~~

~~(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.~~

$$RF_i = \frac{C_{Mi}}{C_{Ai}} \quad \text{(Eq. 4)}$$

~~Where:~~

~~RFi= Response factor of compound i when measured with EPA Method 25A.~~

~~C_Mi= Measured concentration of compound i in ppmv as carbon.~~

~~C_Ai= True concentration of compound i in ppmv as carbon.~~

$$C_{icorr} = RF_i \times C_{imeas} \quad \text{(Eq. 5)}$$

~~Where:~~

~~Ci_{corr}= Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.~~

~~Ci_{meas}= Concentration of compound i measured by EPA Method 320, ppmv as carbon.~~

$$C_{Peq} = 0.6098 \times C_{icorr} \quad \text{(Eq. 6)}$$

~~Where:~~

~~CPeq= Concentration of compound i in mg of propane equivalent per DSCM.~~

~~Notification, Reports, and Records for Owners and Operators~~

~~§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?~~

~~Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.~~

~~(a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.~~

~~(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.~~

~~(2) Maintenance conducted on the engine.~~

~~(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.~~

~~(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.~~

~~(b) For all stationary SI emergency ICE greater than or equal to 500 HP manufactured on or after July 1, 2010, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI~~

~~emergency ICE greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.~~

~~(c) Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in §60.4231 must submit an initial notification as required in §60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section.~~

~~(1) Name and address of the owner or operator;~~

~~(2) The address of the affected source;~~

~~(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;~~

~~(4) Emission control equipment; and~~

~~(5) Fuel used.~~

~~(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed.~~

~~[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]~~

~~General Provisions~~

~~§ 60.4246 What parts of the General Provisions apply to me?~~

~~Table 3 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.~~

~~Mobile Source Provisions~~

~~§ 60.4247 What parts of the mobile source provisions apply to me if I am a manufacturer of stationary SI internal combustion engines or a manufacturer of equipment containing such engines?~~

~~(a) Manufacturers certifying to emission standards in 40 CFR part 90, including manufacturers certifying emergency engines below 130 HP, must meet the provisions of 40 CFR part 90. Manufacturers certifying to emission standards in 40 CFR part 1054 must meet the provisions of 40 CFR part 1054. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060 to the extent they apply to equipment manufacturers.~~

~~(b) Manufacturers required to certify to emission standards in 40 CFR part 1048 must meet the provisions of 40 CFR part 1048. Manufacturers certifying to emission standards in 40 CFR part 1048 pursuant to the voluntary certification program must meet the requirements in Table 4 to this subpart as well as the standards in 40 CFR 1048.101.~~

~~(c) For manufacturers of stationary SI internal combustion engines participating in the voluntary certification program and certifying engines to Table 1 to this subpart, Table 4 to this subpart shows which parts of the mobile source provisions in 40 CFR parts 1048, 1065, and 1068 apply to you. Compliance with the deterioration factor provisions under 40 CFR 1048.205(n) and 1048.240 will be required for engines built new on and after January 1, 2010. Prior to January 1, 2010, manufacturers of stationary internal combustion engines participating in the voluntary certification program have the option to develop their own deterioration factors based on an engineering analysis.~~

~~[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]~~

~~Definitions~~

~~§ 60.4248 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.~~

~~*Certified emissions 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 certified emissions life for stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) are given in 40 CFR 90.105, 40 CFR 1054.107, and 40 CFR 1060.101, as appropriate. The values for certified emissions life for stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) certified to 40 CFR part 1048 are given in 40 CFR 1048.101(g). The certified emissions~~

~~life for stationary SI ICE with a maximum engine power greater than 75 KW (100 HP) certified under the voluntary manufacturer certification program of this subpart is 5,000 hours or 7 years, whichever comes first.~~

~~*Certified stationary internal combustion engine* means an engine that belongs to an engine family that has a certificate of conformity that complies with the emission standards and requirements in this part, or of 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054, as appropriate.~~

~~*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.~~

~~*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 carbon dioxide (CO2).~~

~~*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 SI ICE used for peak shaving are not considered emergency stationary ICE. 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.~~

~~*Engine manufacturer* means the manufacturer of the engine. See the definition of "manufacturer" in this section.~~

~~*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.~~

~~*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.~~

~~*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.~~

~~*Liquefied petroleum gas* means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.~~

~~*Manufacturer* has the meaning given in section 216(1) of the Clean Air 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 resale.~~

~~*Maximum engine power* means maximum engine power as defined in 40 CFR 1048.801.~~

~~*Model year* means either: The calendar year in which the engine was originally produced, or 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.~~

~~*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.~~

~~*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.~~

~~*Pipeline-quality natural gas* means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions, and which is provided by a supplier through a pipeline. Pipeline-quality natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units per standard cubic foot.~~

~~*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 June 12, 2006, 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.~~

~~*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 either: a gasoline-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 compression ignition 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.~~

~~*Stationary internal combustion engine test cell/stand* means an engine test cell/stand, as defined in subpart PPPPP of this part, that test stationary ICE.~~

~~*Stoichiometric* means the theoretical air-to-fuel ratio required for complete combustion.~~

~~*Subpart* means 40 CFR part 60, subpart JJJJ.~~

~~*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.~~

~~*Volatile organic compounds* means volatile organic compounds as defined in 40 CFR 51.100(s).~~

~~*Voluntary certification program* means an optional engine certification program that manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to participate in to certify their engines to the emission standards in §60.4231(d) or (e), as applicable.~~

~~[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]~~

~~Table 1 to Subpart JJJJ of Part 60—NO_X, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP~~

~~Engine type and fuel~~	~~Maximum engine power~~	~~Manufacture date~~	~~Emission standards[a]~~					
			~~g/HP-hr~~			~~ppmvd at 15% O_2~~		
			~~NO_X~~	~~CO~~	~~VOC[d]~~	~~NO_X~~	~~CO~~	~~VOC[d]~~
~~Non-Emergency SI Natural Gas[b] and Non-Emergency SI Lean Burn LPG[b]~~	~~100≤HP<500~~	~~7/1/2008~~ ~~1/1/2011~~	~~2.0~~ ~~1.0~~	~~4.0~~ ~~2.0~~	~~1.0~~ ~~0.7~~	~~160~~ ~~82~~	~~540~~ ~~270~~	~~86~~ ~~60~~
~~Non-Emergency SI Lean Burn Natural Gas and LPG~~	~~500≥HP<1,350~~	~~1/1/2008~~ ~~7/1/2010~~	~~2.0~~ ~~1.0~~	~~4.0~~ ~~2.0~~	~~1.0~~ ~~0.7~~	~~160~~ ~~82~~	~~540~~ ~~270~~	~~86~~ ~~60~~
~~Non-Emergency SI Natural Gas and Non-Emergency SI Lean Burn LPG (except lean burn 500=≥HP<1,350)~~	~~HP≥500~~ ~~HP≥500~~	~~7/1/2007~~ ~~7/1/2010~~	~~2.0~~ ~~1.0~~	~~4.0~~ ~~2.0~~	~~1.0~~ ~~0.7~~	~~160~~ ~~82~~	~~540~~ ~~270~~	~~86~~ ~~60~~
~~Landfill/Digester Gas (except lean burn 500≥HP<1,350)~~	~~HP<500~~	~~7/1/2008~~ ~~1/1/2011~~	~~3.0~~ ~~2.0~~	~~5.0~~ ~~5.0~~	~~1.0~~ ~~1.0~~	~~220~~ ~~150~~	~~610~~ ~~610~~	~~80~~ ~~80~~
	~~HP≥500~~	~~7/1/2007~~ ~~7/1/2010~~	~~3.0~~ ~~2.0~~	~~5.0~~ ~~5.0~~	~~1.0~~ ~~1.0~~	~~220~~ ~~150~~	~~610~~ ~~610~~	~~80~~ ~~80~~
~~Landfill/Digester Gas Lean Burn~~	~~500≥HP<1,350~~	~~1/1/2008~~ ~~7/1/2010~~	~~3.0~~ ~~2.0~~	~~5.0~~ ~~5.0~~	~~1.0~~ ~~1.0~~	~~220~~ ~~150~~	~~610~~ ~~610~~	~~80~~ ~~80~~
~~Emergency~~	~~25>HP<130~~	~~1/1/2009~~	~~[e]10~~ ~~2.0~~	~~387~~ ~~4.0~~	~~N/A~~ ~~1.0~~	~~N/A~~ ~~160~~	~~N/A~~ ~~540~~	~~N/A~~ ~~86~~
	~~HP≥130~~							

~~[a]Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O2.~~

~~[b]Owners and operators of new or reconstructed non-emergency lean burn SI stationary engines with a site rating of greater than or equal to 250 brake HP located at a major source that are meeting the requirements of 40 CFR part 63, subpart ZZZZ, Table 2A do not have to comply with the CO emission standards of Table 1 of this subpart.~~

~~[e]The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of NO_X+HC.~~

~~[d]For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.~~

~~Table 2 to Subpart JJJJ of Part 60—Requirements for Performance Tests~~

~~[As stated in §60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load]~~

~~For each~~	~~Complying with the requirement to~~	~~You must~~	~~Using~~	~~According to the following requirements~~
~~1. Stationary SI internal combustion engine demonstrating compliance according to~~	~~a. limit the concentration of NO_X in the stationary SI 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 or ASTM Method D6522–00(2005)[a].~~	~~(a) If using a control device, the sampling site must be located at the outlet of the control device.~~

~~For each~~	~~Complying with the requirement to~~	~~You must~~	~~Using~~	~~According to the following requirements~~
~~§60.4244.~~				
~~–~~	~~ii. Determine the O_2concentration of the stationary internal combustion engine exhaust at the sampling port location;~~	~~(2) Method 3, 3A, or 3B[b] of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005)[a].~~	~~(b) Measurements to determine O_2concentration must be made at the same time as the measurements for NO_Xconcentration.~~	
~~–~~	~~iii. Determine the exhaust flowrate of the stationary internal combustion engine exhaust;~~	~~(3) Method 2 or 19 of 40 CFR part 60.~~		
~~–~~	~~iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and~~	~~(4) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 (incorporated by reference, see §60.17).~~	~~(c) Measurements to determine moisture must be made at the same time as the measurement for NO_Xconcentration.~~	
~~–~~	~~v. Measure NO_Xat the exhaust of the stationary internal combustion engine.~~	~~(5) Method 7E of 40 CFR part 60, appendix A, Method D6522–00(2005)[a], Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 (incorporated by reference, see §60.17).~~	~~(d) Results of this test consist of the average of the three 1-hour or longer runs.~~	
~~–~~	~~b. limit the concentration of CO in the stationary SI 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;~~	~~(2) Method 3, 3A, or 3Bb of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005)[a].~~	~~(b) Measurements to determine O_2concentration must be made at the same time as the measurements for CO concentration.~~	
~~–~~	~~iii. Determine the exhaust flowrate of the stationary internal combustion engine exhaust;~~	~~(3) Method 2 or 19 of 40 CFR part 60.~~		
~~–~~	~~iv. If necessary,~~	~~(4) Method 4 of 40 CFR~~	~~(c) Measurements to~~	

~~For each~~	~~Complying with the requirement to~~	~~You must~~	~~Using~~	~~According to the following requirements~~
	~~measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and~~	~~part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 (incorporated by reference, see §60.17).~~	~~determine moisture must be made at the same time as the measurement for CO concentration.~~	
~~–~~	~~v. Measure CO at the exhaust of the stationary internal combustion engine.~~	~~(5) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00(2005)[a], Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17).~~	~~(d) Results of this test consist of the average of the three 1-hour or longer runs.~~	
~~–~~	~~c. limit the concentration of VOC in the stationary SI 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;~~	~~(2) Method 3, 3A, or 3B[b]of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005)[a].~~	~~(b) Measurements to determine O_2concentration must be made at the same time as the measurements for VOC concentration.~~	
~~–~~	~~iii. Determine the exhaust flowrate of the stationary internal combustion engine exhaust;~~	~~(3) Method 2 or 19 of 40 CFR part 60.~~		
~~–~~	~~iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and~~	~~(4) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 (incorporated by reference, see §60.17).~~	~~(c) Measurements to determine moisture must be made at the same time as the measurement for VOC concentration.~~	
~~–~~	~~v. Measure VOC at the exhaust of the stationary internal combustion engine.~~	~~(5) Methods 25A and 18 of 40 CFR part 60, appendix A, Method 25A with the use of a methane cutter as described in 40 CFR 1065.265, Method 18 or 40 CFR part 60,~~	~~(d) Results of this test consist of the average of the three 1-hour or longer runs.~~	

~~For each~~	~~Complying with the requirement to~~	~~You must~~	~~Using~~	~~According to the following requirements~~
		~~appendix A,[cd] Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 (incorporated by reference, see §60.17).~~		

~~[a]ASTM D6522–00 is incorporated by reference; see 40 CFR 60.17. Also, you may petition the Administrator for approval to use alternative methods for portable analyzer.~~

~~[b]You may use ASME PTC 19.10–1981, Flue and Exhaust Gas Analyses, for measuring the O_2 content of the exhaust gas as an alternative to EPA Method 3B.~~

~~[c]You may use EPA Method 18 of 40 CFR part 60, appendix A, provided that you conduct an adequate presurvey test prior to the emissions test, such as the one described in OTM 11 on EPA's Web site (*http://www.epa.gov/ttn/emc/prelim/otm11.pdf*).~~

~~[d]You may use ASTM D6420–99 (2004), Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography/Mass Spectrometry as an alternative to EPA Method 18 for measuring total nonmethane organic.~~

~~Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ~~

~~[As stated in §60.4246, 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 §60.4248.~~
~~§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 §60.4245.~~
~~§60.8~~	~~Performance tests~~	~~Yes~~	~~Except that §60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.~~
~~§60.9~~	~~Availability of information~~	~~Yes~~	
~~§60.10~~	~~State Authority~~	~~Yes~~	
~~§60.11~~	~~Compliance with standards and maintenance requirements~~	~~Yes~~	~~Requirements are specified in subpart JJJJ.~~
~~§60.12~~	~~Circumvention~~	~~Yes~~	

~~General provisions citation~~	~~Subject of citation~~	~~Applies to subpart~~	~~Explanation~~
~~§60.13~~	~~Monitoring requirements~~	~~No~~	
~~§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~~	

~~Table 4 to Subpart JJJJ of Part 60—Applicability of Mobile Source Provisions for Manufacturers Participating in the Voluntary Certification Program and Certifying Stationary SI ICE to Emission Standards in Table 1 of Subpart JJJJ~~

~~[As stated in §60.4247, you must comply with the following applicable mobile source provisions if you are a manufacturer participating in the voluntary certification program and certifying stationary SI ICE to emission standards in Table 1 of subpart JJJJ]~~

~~Mobile source provisions citation~~	~~Subject of citation~~	~~Applies to subpart~~	~~Explanation~~
~~1048 subpart A~~	~~Overview and Applicability~~	~~Yes~~	
~~1048 subpart B~~	~~Emission Standards and Related Requirements~~	~~Yes~~	~~Except for the specific sections below.~~
~~1048.101~~	~~Exhaust Emission Standards~~	~~No~~	
~~1048.105~~	~~Evaporative Emission Standards~~	~~No~~	
~~1048.110~~	~~Diagnosing Malfunctions~~	~~No~~	
~~1048.140~~	~~Certifying Blue Sky Series Engines~~	~~No~~	
~~1048.145~~	~~Interim Provisions~~	~~No~~	
~~1048 subpart C~~	~~Certifying Engine Families~~	~~Yes~~	~~Except for the specific sections below.~~
~~1048.205(b)~~	~~AECD reporting~~	~~Yes~~	
~~1048.205(c)~~	~~OBD Requirements~~	~~No~~	
~~1048.205(n)~~	~~Deterioration Factors~~	~~Yes~~	~~Except as indicated in 60.4247(c).~~
~~1048.205(p)(1)~~	~~Deterioration Factor Discussion~~	~~Yes~~	
~~1048.205(p)(2)~~	~~Liquid Fuels as they require~~	~~No~~	
~~1048.240(b)(c)(d)~~	~~Deterioration Factors~~	~~Yes~~	
~~1048 subpart D~~	~~Testing Production-Line Engines~~	~~Yes~~	

~~Mobile source provisions citation~~	~~Subject of citation~~	~~Applies to subpart~~	~~Explanation~~
~~1048 subpart E~~	~~Testing In-Use Engines~~	~~No~~	
~~1048 subpart F~~	~~Test Procedures~~	~~Yes~~	
~~1065.5(a)(4)~~	~~Raw sampling (refers reader back to the specific emissions regulation for guidance)~~	~~Yes~~	
~~1048 subpart G~~	~~Compliance Provisions~~	~~Yes~~	
~~1048 subpart H~~	~~Reserved~~		
~~1048 subpart I~~	~~Definitions and Other Reference Information~~	~~Yes~~	
~~1048 appendix I and II~~	~~Yes~~		
~~1065 (all subparts)~~	~~Engine Testing Procedures~~	~~Yes~~	~~Except for the specific section below.~~
~~1065.715~~	~~Test Fuel Specifications for Natural Gas~~	~~No~~	
~~1068 (all subparts)~~	~~General Compliance Provisions for Nonroad Programs~~	~~Yes~~	~~Except for the specific sections below.~~
~~1068.245~~	~~Hardship Provisions for Unusual Circumstances~~	~~No~~	
~~1068.250~~	~~Hardship Provisions for Small-Volume Manufacturers~~	~~No~~	
~~1068.255~~	~~Hardship Provisions for Equipment Manufacturers and Secondary Engine Manufacturers~~		

Indiana Department of Environmental Management
Office of Air Quality
Attachment B

Source Description and Location

Source Name: Liberty Landfill, Inc.
Source Location: 8635 East SR 16, Monticello, Indiana 47960
County: White County
SIC Code: 4953
Operation Permit No.: T 181-29266-00035
Operation Permit Issuance Date: November 30, 2010
Permit Reviewer: Kimberly Malley

Complete Text - 40 CFR 60, Subpart JJJJ

Subpart JJJJ — Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

Source: 73 FR 3591, Jan. 18, 2008, unless otherwise noted.

What This Subpart Covers

§ 60.4230 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (6) 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 SI ICE with a maximum engine power less than or equal to 19 kilowatt (KW) (25 horsepower (HP)) that are manufactured on or after July 1, 2008.

(2) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline fueled or that are rich burn engines fueled by liquefied petroleum gas (LPG), where the date of manufacture is:

(i) On or after July 1, 2008; or

(ii) On or after January 1, 2009, for emergency engines.

(3) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are not gasoline fueled and are not rich burn engines fueled by LPG, where the manufacturer participates in the voluntary manufacturer certification program described in this subpart and where the date of manufacture is:

(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) On or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

(iii) On or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

(iv) On or after January 1, 2009, for emergency engines.

(4) Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:

(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) on or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

(iii) on or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

(iv) on or after January 1, 2009, for emergency engines with a maximum engine power greater than 19 KW (25 HP).

(5) Owners and operators of stationary SI ICE that are modified or reconstructed after June 12, 2006, and any person that modifies or reconstructs any stationary SI ICE after June 12, 2006.

(6) The provisions of §60.4236 of this subpart are applicable to all owners and operators of stationary SI ICE that commence construction after June 12, 2006.

(b) The provisions of this subpart are not applicable to stationary SI ICE being tested at an engine 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 as applicable.

(d) For the purposes of this subpart, stationary SI ICE using alcohol-based fuels are considered gasoline engines.

(e) Stationary SI 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 parts 90 and 1048, 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.

(f) Owners and operators of facilities with internal combustion engines that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37972, June 28, 2011]

Emission Standards for Manufacturers

§ 60.4231 What emission standards must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing such engines?

(a) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008 to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as follows:

If engine displacement is * * *	and manufacturing dates are * * *	the engine must meet emission standards and related requirements for nonhandheld engines under * * *
(1) below 225 cc	July 1, 2008 to December 31, 2011	40 CFR part 90.
(2) below 225 cc	January 1, 2012 or later	40 CFR part 1054.
(3) at or above 225 cc	July 1, 2008 to December 31, 2010	40 CFR part 90.
(4) at or above 225 cc	January 1, 2011 or later	40 CFR part 1054.

(b) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that use gasoline and that are manufactured on or after the applicable date in §60.4230(a)(2), or manufactured on or after the applicable date in §60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE with a maximum engine power greater than 25 HP and less than 130 HP that are manufactured on or after the applicable date in §60.4230(a)(4) to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. Stationary SI internal

combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cubic centimeters (cc) to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.

(c) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that are rich burn engines that use LPG and that are manufactured on or after the applicable date in §60.4230(a)(2), or manufactured on or after the applicable date in §60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE with a maximum engine power greater than 25 HP and less than 130 HP that are manufactured on or after the applicable date in §60.4230(a)(4) to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.

(d) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) under the voluntary manufacturer certification program described in this subpart must certify those engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers who choose to certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP, must certify those engines to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate. For stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) manufactured prior to January 1, 2011, manufacturers may choose to certify these engines to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP.

(e) Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) under the voluntary manufacturer certification program described in this subpart must certify those engines to the emission standards in Table 1 to this subpart. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) that are lean burn engines that use LPG to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. For stationary SI ICE with a maximum engine power greater than or equal to 100 HP (75 KW) and less than 500 HP (373 KW) manufactured prior to January 1, 2011, and for stationary SI ICE with a maximum engine power greater than or equal to 500 HP (373 KW) manufactured prior to July 1, 2010, manufacturers may choose to certify these engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048 applicable to engines that are not severe duty engines.

(f) Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, to the extent they apply to equipment manufacturers.

(g) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary SI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (e) of this section that are applicable to the model year, maximum engine power and displacement of the reconstructed stationary SI ICE.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59175, Oct. 8, 2008; 76 FR 37973, June 28, 2011]

§ 60.4232 How long must my engines meet the emission standards if I am a manufacturer of stationary SI internal combustion engines?

Engines manufactured by stationary SI internal combustion engine manufacturers must meet the emission standards as required in §60.4231 during the certified emissions life of the engines.

Emission Standards for Owners and Operators

§ 60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?

(a) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008, must comply with the emission standards in §60.4231(a) for their stationary SI ICE.

(b) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in §60.4230(a)(4) that use gasoline must comply with the emission standards in §60.4231(b) for their stationary SI ICE.

(c) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in §60.4230(a)(4) that are rich burn engines that use LPG must comply with the emission standards in §60.4231(c) for their stationary SI ICE.

(d) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for field testing in 40 CFR 1048.101(c) for their non-emergency stationary SI ICE and with the emission standards in Table 1 to this subpart for their emergency stationary SI ICE. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) manufactured prior to January 1, 2011, that were certified to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP, may optionally choose to meet those standards.

(e) Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP (except gasoline and rich burn engines that use LPG) manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in Table 1 to this subpart, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.

(f) Owners and operators of any modified or reconstructed stationary SI ICE subject to this subpart must meet the requirements as specified in paragraphs (f)(1) through (5) of this section.

(1) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with emission standards in §60.4231(a) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in §60.4231(a) applicable to engines manufactured on July 1, 2008.

(2) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline engines and are modified or reconstructed after June 12, 2006, must comply with the emission standards in §60.4231(b) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in §60.4231(b) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).

(3) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are rich burn engines that use LPG, that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in §60.4231(c). Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in §60.4231(c) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).

(4) Owners and operators of stationary SI natural gas and lean burn LPG engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (d) or (e) of this section, except that such owners and operators of non-emergency engines and emergency engines greater than or equal to 130 HP must meet a nitrogen oxides (NO_X) emission standard of 3.0 grams per HP-hour (g/HP-hr), a CO emission standard of 4.0 g/HP-hr (5.0 g/HP-hr for non-emergency engines less than 100 HP), and a volatile organic compounds (VOC) emission standard of 1.0 g/HP-hr, or a NO_Xemission standard of 250 ppmvd at 15 percent oxygen (O_2), a CO emission standard 540 ppmvd at 15 percent O_2(675 ppmvd at 15 percent $O_2$for non-emergency engines less than 100 HP), and a VOC emission standard of 86 ppmvd at 15 percent O_2, where the date of manufacture of the engine is:

(i) Prior to July 1, 2007, for non-emergency engines with a maximum engine power greater than or equal to 500 HP (except lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) Prior to July 1, 2008, for non-emergency engines with a maximum engine power less than 500 HP;

(iii) Prior to January 1, 2009, for emergency engines;

(iv) Prior to January 1, 2008, for non-emergency lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP.

(5) Owners and operators of stationary SI landfill/digester gas ICE engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (e) of this section for stationary landfill/digester gas engines. Engines with maximum engine power less than 500 HP and a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power less than 500 HP manufactured on July 1, 2008. Engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) and a date of manufacture prior to July 1, 2007 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) manufactured on July 1, 2007. Lean burn engines greater than or equal to 500 HP and less than 1,350 HP with a date of manufacture prior to January 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE that are lean burn engines greater than or equal to 500 HP and less than 1,350 HP and manufactured on January 1, 2008.

(g) Owners and operators of stationary SI wellhead gas ICE engines may petition the Administrator for approval on a case-by-case basis to meet emission standards no less stringent than the emission standards that apply to stationary emergency SI engines greater than 25 HP and less

than 130 HP due to the presence of high sulfur levels in the fuel, as specified in Table 1 to this subpart. The request must, at a minimum, demonstrate that the fuel has high sulfur levels that prevent the use of aftertreatment controls and also that the owner has reasonably made all attempts possible to obtain an engine that will meet the standards without the use of aftertreatment controls. The petition must request the most stringent standards reasonably applicable to the engine using the fuel.

(h) Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37973, June 28, 2011]

§ 60.4234 How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

Other Requirements for Owners and Operators

§ 60.4235 What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?

Owners and operators of stationary SI ICE subject to this subpart that use gasoline must use gasoline that meets the per gallon sulfur limit in 40 CFR 80.195.

§ 60.4236 What is the deadline for importing or installing stationary SI ICE produced in previous model years?

(a) After July 1, 2010, owners and operators may not install stationary SI ICE with a maximum engine power of less than 500 HP that do not meet the applicable requirements in §60.4233.

(b) After July 1, 2009, owners and operators may not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in §60.4233, except that lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP that do not meet the applicable requirements in §60.4233 may not be installed after January 1, 2010.

(c) For emergency stationary SI ICE with a maximum engine power of greater than 19 KW (25 HP), owners and operators may not install engines that do not meet the applicable requirements in §60.4233 after January 1, 2011.

(d) In addition to the requirements specified in §§60.4231 and 60.4233, it is prohibited to import stationary SI ICE less than or equal to 19 KW (25 HP), stationary rich burn LPG SI ICE, and stationary gasoline SI ICE that do not meet the applicable requirements specified in paragraphs (a), (b), and (c) of this section, after the date specified in paragraph (a), (b), and (c) of this section.

(e) The requirements of this section do not apply to owners and operators of stationary SI ICE that have been modified or reconstructed, and they do not apply to engines that were removed from one existing location and reinstalled at a new location.

§ 60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?

(a) Starting on July 1, 2010, if the emergency stationary SI internal combustion engine that is greater than or equal to 500 HP that was built on or after July 1, 2010, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(b) Starting on January 1, 2011, if the emergency stationary SI internal combustion engine that is greater than or equal to 130 HP and less than 500 HP that was built on or after January 1, 2011, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(c) If you are an owner or operator of an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter upon startup of your emergency engine.

Compliance Requirements for Manufacturers

§ 60.4238 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines ≤19 KW (25 HP) or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(a) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[73 FR 59176, Oct. 8, 2008]

§ 60.4239 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that use gasoline or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(b) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[73 FR 59176, Oct. 8, 2008]

§ 60.4240 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that are rich burn engines that use LPG or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(c) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI

ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[73 FR 59176, Oct. 8, 2008]

§ 60.4241 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines participating in the voluntary certification program or a manufacturer of equipment containing such engines?

(a) Manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to certify their engines to the emission standards in §60.4231(d) or (e), as applicable, under the voluntary certification program described in this subpart. Manufacturers who certify their engines under the voluntary certification program must meet the requirements as specified in paragraphs (b) through (g) of this section. In addition, manufacturers of stationary SI internal combustion engines who choose to certify their engines under the voluntary certification program, must also meet the requirements as specified in §60.4247.

(b) Manufacturers of engines other than those certified to standards in 40 CFR part 90 or 40 CFR part 1054 must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must follow the same test procedures that apply to large SI nonroad engines under 40 CFR part 1048, but must use the D–1 cycle of International Organization of Standardization 8178–4: 1996(E) (incorporated by reference, see 40 CFR 60.17) or the test cycle requirements specified in Table 3 to 40 CFR 1048.505, except that Table 3 of 40 CFR 1048.505 applies to high load engines only. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

(c) Certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, is voluntary, but manufacturers who decide to certify are subject to all of the requirements indicated in this subpart with regard to the engines included in their certification. Manufacturers must clearly label their stationary SI engines as certified or non-certified engines.

(d) Manufacturers of natural gas fired stationary SI ICE who conduct voluntary certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the definition of pipeline-quality natural gas. The fuel used for certifying stationary SI natural gas engines must meet the definition of pipeline-quality natural gas as described in §60.4248. In addition, the manufacturer must provide information to the owner and operator of the certified stationary SI engine including the specifications of the pipeline-quality natural gas to which the engine is certified and what adjustments the owner or operator must make to the engine when installed in the field to ensure compliance with the emission standards.

(e) Manufacturers of stationary SI ICE that are lean burn engines fueled by LPG who conduct voluntary certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the specifications in 40 CFR 1065.720.

(f) Manufacturers may certify their engines for operation using gaseous fuels in addition to pipeline-quality natural gas; however, the manufacturer must specify the properties of that fuel and provide testing information showing that the engine will meet the emission standards specified in §60.4231(d) or (e), as applicable, when operating on that fuel. The manufacturer must also provide instructions for configuring the stationary engine to meet the emission standards on fuels that do not meet the pipeline-quality natural gas definition. The manufacturer must also provide information to the owner and operator of the certified stationary SI engine regarding the configuration that is most conducive to reduced emissions where the engine will be operated on gaseous fuels with different quality than the fuel that it was certified to.

(g) A stationary SI engine manufacturer may certify an engine family solely to the standards applicable to landfill/digester gas engines as specified in §60.4231(d) or (e), as applicable, but must certify their engines for operation using landfill/digester gas and must add a permanent label stating that the engine is for use only in landfill/digester gas applications. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).

(h) For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

(i) For engines being certified to the voluntary certification standards in Table 1 of this subpart, the VOC measurement shall be made by following the procedures in 40 CFR 1065.260 and 1065.265 in order to determine the total NMHC emissions by using a flame-ionization detector and non-methane cutter. As an alternative to the nonmethane cutter, manufacturers may use a gas chromatograph as allowed under 40 CFR 1065.267 and may measure ethane, as well as methane, for excluding such levels from the total VOC measurement.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59176, Oct. 8, 2008; 76 FR 37974, June 28, 2011]

§ 60.4242 What other requirements must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

(a) Stationary SI internal combustion engine manufacturers must meet the provisions of 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054, as applicable, as well as 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1048 or 1054, except that engines certified pursuant to the voluntary certification procedures in §60.4241 are subject only to the provisions indicated in §60.4247 and are permitted to provide instructions to owners and operators allowing for deviations from certified configurations, if such deviations are consistent with the provisions of paragraphs §60.4241(c) through (f). Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, as applicable. Labels on engines certified to 40 CFR part 1048 must refer to stationary engines, rather than or in addition to nonroad engines, as appropriate.

(b) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054 for that model year may certify any such family that contains both nonroad 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. This provision also applies to equipment or component manufacturers certifying to standards under 40 CFR part 1060.

(c) Manufacturers of engine families certified to 40 CFR part 1048 may meet the labeling requirements referred to in paragraph (a) of this section for stationary SI ICE by either adding a separate label containing the information required in paragraph (a) of this section or by adding the words “and stationary” after the word “nonroad” to the label.

(d) For all engines manufactured on or after January 1, 2011, and for all engines with a maximum engine power greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, a

stationary SI engine manufacturer that certifies an engine family solely to the standards applicable to emergency engines must add a permanent label stating that the engines in that family are for emergency use only. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).

(e) All stationary SI engines subject to mandatory certification 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. Stationary SI engines subject to standards in 40 CFR part 90 may use the provisions in 40 CFR 90.909. Manufacturers of stationary engines with a maximum engine power greater than 25 HP that are not certified to standards and other requirements under 40 CFR part 1048 are subject to the labeling provisions of 40 CFR 1048.20 pertaining to excluded stationary engines.

(f) For manufacturers of gaseous-fueled stationary engines required to meet the warranty provisions in 40 CFR 90.1103 or 1054.120, we may establish an hour-based warranty period equal to at least the certified emissions life of the engines (in engine operating hours) if we determine that these engines are likely to operate for a number of hours greater than the applicable useful life within 24 months. We will not approve an alternate warranty under this paragraph (f) for nonroad engines. An alternate warranty period approved under this paragraph (f) will be the specified number of engine operating hours or two years, whichever comes first. The engine manufacturer shall request this alternate warranty period in its application for certification or in an earlier submission. We may approve an alternate warranty period for an engine family subject to the following conditions:

(1) The engines must be equipped with non-resettable hour meters.

(2) The engines must be designed to operate for a number of hours substantially greater than the applicable certified emissions life.

(3) The emission-related warranty for the engines may not be shorter than any published warranty offered by the manufacturer without charge for the engines. Similarly, the emission-related warranty for any component shall not be shorter than any published warranty offered by the manufacturer without charge for that component.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]

Compliance Requirements for Owners and Operators

§ 60.4243 What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?

(a) If you are an owner or operator of a stationary SI internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in §60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in §60.4231(a) through (c), as applicable, for the same engine class and maximum engine power. In addition, you must meet one of the requirements specified in (a)(1) and (2) of this section.

(1) If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance.

(2) If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be considered a non-certified engine, and you must demonstrate compliance according to

(a)(2)(i) through (iii) of this section, as appropriate.

(i) If you are an owner or operator of a stationary SI internal combustion engine less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup to demonstrate compliance.

(iii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.

(1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.

(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in §60.4233(d) or (e) and according to the requirements specified in §60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.

(i) If you are an owner or operator of a stationary SI internal combustion engine greater than 25 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(c) If you are an owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in §60.4233(f), you must demonstrate compliance according paragraph (b)(2)(i) or (ii) of this section, except that if you comply according to paragraph (b)(2)(i) of this section, you demonstrate that your non-certified engine complies with the emission standards specified in §60.4233(f).

(d) 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. The owner or operator 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. Emergency stationary ICE may operate up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this section, is prohibited.

(e) Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of §60.4233.

(f) If you are an owner or operator of a stationary SI internal combustion engine that is less than or equal to 500 HP and you purchase a non-certified engine or you do not operate and maintain your certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, you are required to perform initial performance testing as indicated in this section, but you are not required to conduct subsequent performance testing unless the stationary engine is rebuilt or undergoes major repair or maintenance. A rebuilt stationary SI ICE means an engine that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(g) It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

(h) If you are an owner/operator of an stationary SI internal combustion engine with maximum engine power greater than or equal to 500 HP that is manufactured after July 1, 2007 and before July 1, 2008, and must comply with the emission standards specified in sections 60.4233(b) or (c), you must comply by one of the methods specified in paragraphs (h)(1) through (h)(4) of this section.

(1) Purchasing an engine certified according to 40 CFR part 1048. 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.

(i) If you are an owner or operator of a modified or reconstructed stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(f), you must demonstrate compliance according to one of the methods specified in paragraphs (i)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in §60.4233(f), as applicable.

(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in §60.4244. The test must be conducted within 60 days

after the engine commences operation after the modification or reconstruction.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011]

Testing Requirements for Owners and Operators

§ 60.4244 What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in §60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(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 be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(d) To determine compliance with the NO_X mass per unit output emission limitation, convert the concentration of NO_X in the engine exhaust using Equation 1 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{HP - hr} \qquad \text{(Eq. 1)}$$

Where:

ER = Emission rate of NO_X in g/HP-hr.

C_d = Measured NO_X concentration in parts per million by volume (ppmv).

1.912×10^{-3} = Conversion constant for ppm NO_X to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

$$ER = \frac{C_d \times 1.164 \times 10^{-3} \times Q \times T}{HP - hr} \qquad \text{(Eq. 2)}$$

Where:

ER = Emission rate of CO in g/HP-hr.

Cd= Measured CO concentration in ppmv.

1.164×10^{-3} = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

$$ER = \frac{C_d \times 1.833 \times 10^{-3} \times Q \times T}{HP - hr} \qquad \text{(Eq. 3)}$$

Where:

ER = Emission rate of VOC in g/HP-hr.

Cd= VOC concentration measured as propane in ppmv.

1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

$$RF_i = \frac{C_{Mi}}{C_{Ai}} \qquad \text{(Eq. 4)}$$

Where:

RFi= Response factor of compound i when measured with EPA Method 25A.

C_Mi= Measured concentration of compound i in ppmv as carbon.

C_Ai= True concentration of compound i in ppmv as carbon.

$$C_{icorr} = RF_i \times C_{imes} \qquad \text{(Eq. 5)}$$

Where:

Ci_{corr}= Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

Ci_{meas}= Concentration of compound i measured by EPA Method 320, ppmv as carbon.

$$C_{Peq} = 0.6098 \times C_{i,corr} \qquad \text{(Eq. 6)}$$

Where:

CPeq= Concentration of compound i in mg of propane equivalent per DSCM.

Notification, Reports, and Records for Owners and Operators

§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

(a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

(b) For all stationary SI emergency ICE greater than or equal to 500 HP manufactured on or after July 1, 2010, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

(c) Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in §60.4231 must submit an initial notification as required in §60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section.

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]

General Provisions

§ 60.4246 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

Mobile Source Provisions

§ 60.4247 What parts of the mobile source provisions apply to me if I am a manufacturer of stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

(a) Manufacturers certifying to emission standards in 40 CFR part 90, including manufacturers certifying emergency engines below 130 HP, must meet the provisions of 40 CFR part 90. Manufacturers certifying to emission standards in 40 CFR part 1054 must meet the provisions of 40 CFR part 1054. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060 to the extent they apply to equipment manufacturers.

(b) Manufacturers required to certify to emission standards in 40 CFR part 1048 must meet the provisions of 40 CFR part 1048. Manufacturers certifying to emission standards in 40 CFR part 1048 pursuant to the voluntary certification program must meet the requirements in Table 4 to this subpart as well as the standards in 40 CFR 1048.101.

(c) For manufacturers of stationary SI internal combustion engines participating in the voluntary certification program and certifying engines to Table 1 to this subpart, Table 4 to this subpart shows which parts of the mobile source provisions in 40 CFR parts 1048, 1065, and 1068 apply to you. Compliance with the deterioration factor provisions under 40 CFR 1048.205(n) and 1048.240 will be required for engines built new on and after January 1, 2010. Prior to January 1, 2010, manufacturers of stationary internal combustion engines participating in the voluntary certification program have the option to develop their own deterioration factors based on an engineering analysis.

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008]

Definitions

§ 60.4248 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.

***Certified emissions 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 certified emissions life for stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) are given in 40 CFR 90.105, 40 CFR 1054.107, and 40 CFR 1060.101, as appropriate. The values for certified emissions life for stationary SI ICE with a maximum engine power greater than 19 KW (25**

HP) certified to 40 CFR part 1048 are given in 40 CFR 1048.101(g). The certified emissions life for stationary SI ICE with a maximum engine power greater than 75 KW (100 HP) certified under the voluntary manufacturer certification program of this subpart is 5,000 hours or 7 years, whichever comes first. You may request in your application for certification that we approve a shorter certified emissions life for an engine family. We may approve a shorter certified emissions life, in hours of engine operation but not in years, if we determine that these engines will rarely operate longer than the shorter certified emissions life. If engines identical to those in the engine family have already been produced and are in use, your demonstration must include documentation from such in-use engines. In other cases, your demonstration must include an engineering analysis of information equivalent to such in-use data, such as data from research engines or similar engine models that are already in production. Your demonstration must also include any overhaul interval that you recommend, any mechanical warranty that you offer for the engine or its components, and any relevant customer design specifications. Your demonstration may include any other relevant information. The certified emissions life value may not be shorter than any of the following:

(i) 1,000 hours of operation.

(ii) Your recommended overhaul interval.

(iii) Your mechanical warranty for the engine.

Certified stationary internal combustion engine **means an engine that belongs to an engine family that has a certificate of conformity that complies with the emission standards and requirements in this part, or of 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054, as appropriate.**

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.**

Date of manufacture **means one of the following things:**

(1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.

(2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.

(3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

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.**

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 carbon dioxide (CO2).**

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 SI ICE used for peak shaving are not considered emergency stationary ICE. 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.**

Engine manufacturer **means the manufacturer of the engine. See the definition of "manufacturer" in this section.**

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.**

Freshly manufactured engine **means an engine that has not been placed into service. An engine becomes freshly manufactured when it is originally produced.**

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.**

Installed **means the engine is placed and secured at the location where it is intended to be operated.**

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.**

Liquefied petroleum gas **means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining or natural gas production.**

Manufacturer **has the meaning given in section 216(1) of the Clean Air 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 resale.**

Maximum engine power **means maximum engine power as defined in 40 CFR 1048.801.**

Model year **means the calendar year in which an engine is manufactured (see "date of manufacture"), except as follows:**

(1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see "date of manufacture"), if the annual new model production period is different than the calendar year and includes 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.

(2) 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 manufactured (see "date of manufacture").

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.**

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.**

Pipeline-quality natural gas **means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions, and which is provided by a supplier through a pipeline. Pipeline-quality natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units per standard cubic foot.**

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 June 12, 2006, 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.**

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 either: a gasoline-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 compression ignition 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, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.**

Stationary internal combustion engine test cell/stand **means an engine test cell/stand, as defined in 40 CFR part 63, subpart PPPPP, that tests stationary ICE.**

Stoichiometric **means the theoretical air-to-fuel ratio required for complete combustion.**

Subpart **means 40 CFR part 60, subpart JJJJ.**

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.**

Volatile organic compounds **means volatile organic compounds as defined in 40 CFR 51.100(s).**

Voluntary certification program **means an optional engine certification program that manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to participate in to certify their engines to the emission standards in §60.4231(d) or (e), as applicable.**

[73 FR 3591, Jan. 18, 2008, as amended by 73 FR 59177, Oct. 8, 2008; 76 FR 37974, June 28, 2011]

Table 1 to Subpart JJJJ of Part 60—NO_X, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP

Engine type and fuel	Maximum engine power	Manufacture date	Emission standards[a]					
			g/HP-hr			ppmvd at 15% O_2		
			NO_X	CO	VOC[d]	NO_X	CO	VOC[d]
Non-Emergency SI Natural Gas[b] and Non-Emergency SI Lean Burn LPG[b]	100≤HP<500	7/1/2008	2.0	4.0	1.0	160	540	86
		1/1/2011	1.0	2.0	0.7	82	270	60
Non-Emergency SI Lean Burn Natural Gas and LPG	500≤HP<1,350	1/1/2008	2.0	4.0	1.0	160	540	86
		7/1/2010	1.0	2.0	0.7	82	270	60
Non-Emergency SI Natural Gas and Non-Emergency SI Lean Burn LPG (except lean burn 500≤HP<1,350)	HP≥500	7/1/2007	2.0	4.0	1.0	160	540	86
	HP≥500	7/1/2010	1.0	2.0	0.7	82	270	60
Landfill/Digester Gas (except lean burn 500≤HP<1,350)	HP<500	7/1/2008	3.0	5.0	1.0	220	610	80
		1/1/2011	2.0	5.0	1.0	150	610	80
	HP≥500	7/1/2007	3.0	5.0	1.0	220	610	80
		7/1/2010	2.0	5.0	1.0	150	610	80
Landfill/Digester Gas Lean Burn	500≤HP<1,350	1/1/2008	3.0	5.0	1.0	220	610	80
		7/1/2010	2.0	5.0	1.0	150	610	80
Emergency	25<HP<130	1/1/2009	[c]10	387	N/A	N/A	N/A	N/A
	HP≥130		2.0	4.0	1.0	160	540	86

[a]Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O2.

[b]Owners and operators of new or reconstructed non-emergency lean burn SI stationary engines with a site rating of greater than or equal to 250 brake HP located at a major source that are meeting the requirements of 40 CFR part 63, subpart ZZZZ, Table 2a do not have to comply with the CO emission standards of Table 1 of this subpart.

[c]The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of NOX + HC.

[d]For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

[76 FR 37975, June 28, 2011]

Table 2 to Subpart JJJJ of Part 60—Requirements for Performance Tests

As stated in §60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load:

For each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary SI internal combustion engine demonstrating compliance according to §60.4244	a. limit the concentration of NO_X in the stationary SI 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 or ASTM Method D6522–00(2005)[a]	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B[b] of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005)[a]	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for NO_X concentration.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) 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 must be made at the same time as the measurement for NO_X concentration.
		v. Measure NO_X at the exhaust of the stationary internal combustion engine	(5) Method 7E of 40 CFR part 60, appendix A, Method D6522–00(2005)[a], Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(d) Results of this test consist of the average of the three 1-hour or longer runs.

For each	Complying with the requirement to	You must	Using	According to the following requirements
	b. limit the concentration of CO in the stationary SI 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 or ASTM Method D6522–00(2005)[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;	(2) Method 3, 3A, or 3B[b]of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005)[a]	(b) Measurements to determine O_2concentration must be made at the same time as the measurements for CO concentration.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) 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 must be made at the same time as the measurement for CO concentration.
		v. Measure CO at the exhaust of the stationary internal combustion engine	(5) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00(2005)[a], Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(d) Results of this test consist of the average of the three 1-hour or longer runs.
	c. limit the concentration of VOC in the stationary SI 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.

For each	Complying with the requirement to	You must	Using	According to the following requirements
		ii. Determine the O_2concentration of the stationary internal combustion engine exhaust at the sampling port location;	(2) Method 3, 3A, or 3B[b]of 40 CFR part 60, appendix A or ASTM Method D6522–00(2005)[a]	(b) Measurements to determine O_2concentration must be made at the same time as the measurements for VOC concentration.
		iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;	(3) Method 2 or 19 of 40 CFR part 60	
		iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(4) 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 must be made at the same time as the measurement for VOC concentration.
		v. Measure VOC at the exhaust of the stationary internal combustion engine	(5) Methods 25A and 18 of 40 CFR part 60, appendix A, Method 25A with the use of a methane cutter as described in 40 CFR 1065.265, Method 18 or 40 CFR part 60, appendix A[c,d], Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348–03 (incorporated by reference, see §60.17)	(d) Results of this test consist of the average of the three 1-hour or longer runs.

[76 FR 37975, June 28, 2011]

Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ

[As stated in §60.4246, 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 §60.4248.
§60.3	Units and abbreviations	Yes	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§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 §60.4245.
§60.8	Performance tests	Yes	Except that §60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	
§60.11	Compliance with standards and maintenance requirements	Yes	Requirements are specified in subpart JJJJ.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	No	
§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	

Table 4 to Subpart JJJJ of Part 60—Applicability of Mobile Source Provisions for Manufacturers Participating in the Voluntary Certification Program and Certifying Stationary SI ICE to Emission Standards in Table 1 of Subpart JJJJ

[As stated in §60.4247, you must comply with the following applicable mobile source provisions if you are a manufacturer participating in the voluntary certification program and certifying stationary SI ICE to emission standards in Table 1 of subpart JJJJ]

Mobile source provisions citation	Subject of citation	Applies to subpart	Explanation
1048 subpart A	Overview and Applicability	Yes	
1048 subpart B	Emission Standards and Related Requirements	Yes	Except for the specific sections below.
1048.101	Exhaust Emission Standards	No	
1048.105	Evaporative Emission Standards	No	

Mobile source provisions citation	Subject of citation	Applies to subpart	Explanation
1048.110	Diagnosing Malfunctions	No	
1048.140	Certifying Blue Sky Series Engines	No	
1048.145	Interim Provisions	No	
1048 subpart C	Certifying Engine Families	Yes	Except for the specific sections below.
1048.205(b)	AECD reporting	Yes	
1048.205(c)	OBD Requirements	No	
1048.205(n)	Deterioration Factors	Yes	Except as indicated in 60.4247(c).
1048.205(p)(1)	Deterioration Factor Discussion	Yes	
1048.205(p)(2)	Liquid Fuels as they require	No	
1048.240(b)(c)(d)	Deterioration Factors	Yes	
1048 subpart D	Testing Production-Line Engines	Yes	
1048 subpart E	Testing In-Use Engines	No	
1048 subpart F	Test Procedures	Yes	
1065.5(a)(4)	Raw sampling (refers reader back to the specific emissions regulation for guidance)	Yes	
1048 subpart G	Compliance Provisions	Yes	
1048 subpart H	Reserved		
1048 subpart I	Definitions and Other Reference Information	Yes	
1048 appendix I and II	Yes		
1065 (all subparts)	Engine Testing Procedures	Yes	Except for the specific section below.
1065.715	Test Fuel Specifications for Natural Gas	No	
1068 (all subparts)	General Compliance Provisions for Nonroad Programs	Yes	Except for the specific sections below.
1068.245	Hardship Provisions for Unusual Circumstances	No	
1068.250	Hardship Provisions for Small-Volume Manufacturers	No	
1068.255	Hardship Provisions for Equipment Manufacturers and Secondary Engine Manufacturers	No	

Modification No. 8:

40 CFR 63, Subpart ZZZZ Update

40 CFR 63, Subpart ZZZZ was updated after issuance of the Part 70 Operating Permit Renewal. The attachment containing the complete text of 40 CFR 63, Subpart ZZZZ has been removed and replaced with the most current version, June 28, 2011. Revisions are shown below:

~~Attachment E – National Emission Standards for Hazardous Air Pollutants: Stationary Reciprocating Internal Combustion Engines [40 CFR Part 63, Subpart ZZZZ] [326 IAC 20-82]~~

~~Source Description and Location~~

~~Source Name:~~	~~Liberty Landfill, Inc.~~
~~Source Location:~~	~~8635 East State Road 16, Monticello, Indiana 47960~~
~~County:~~	~~White~~
~~SIC Code:~~	~~4953~~
~~Permit Renewal No.:~~	~~T181-29266-00035~~
~~Permit Reviewer:~~	~~Kimberley Malley~~

~~NESHAP [40 CFR Part 63, Subpart ZZZZ]~~

~~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(f).~~

~~(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 of HAP emissions; 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 of HAP emissions; 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 emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions; an existing spark ignition emergency or limited use stationary RICE; an existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions; 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; or an existing stationary residential, commercial, or institutional emergency stationary RICE located at an area source of HAP emissions, 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, excluding existing non-emergency 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 applicable emission limitations and operating limitations no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013.~~

~~(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?~~

~~Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.~~

~~(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 stationary 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, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE; an existing 4SLB 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.~~

~~(d) If you own or operate an existing non-emergency stationary CI 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 2c to this subpart and the operating limitations in Table 2b to this subpart which apply to you.~~

~~[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?~~

~~Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart. 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]~~

~~§ 63.6602 What emission limitations must I meet if I own or operate an existing stationary CI RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?~~

~~If you own or operate an existing stationary CI RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart which apply to you. Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.~~

~~§ 63.6603 What emission limitations and operating limitations must I meet if I own or operate an existing stationary CI RICE located at an area source of HAP emissions?~~

~~Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.~~

~~(a) If you own or operate an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart which apply to you.~~

~~(b) If you own or operate an existing stationary non-emergency CI RICE greater than 300 HP located at area sources in areas of Alaska not accessible by the Federal Aid Highway System (FAHS) you do not have to meet the numerical CO emission limitations specified in Table 2d to this subpart. Existing stationary non-emergency CI RICE greater than 300 HP located at area sources in areas of Alaska not accessible by the FAHS must meet the management practices that are shown for stationary non-emergency CI RICE less than or equal to 300 HP in Table 2d to this subpart.~~

~~§ 63.6604 What fuel requirements must I meet if I own or operate an existing stationary CI RICE?~~

~~If you own or operate an existing non-emergency CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel. Existing non-emergency CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or at area sources in areas of Alaska not accessible by the FAHS are exempt from the requirements of this section.~~

~~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.~~

~~(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.~~

~~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]~~

~~§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?~~

~~If you own or operate an existing CI stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary CI RICE located at an area source of HAP emissions you are subject to the requirements of this section.~~

~~(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 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) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) 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.~~

~~§ 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 that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again.~~

~~(c) [Reserved]~~

~~(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 (CO2). If pollutant concentrations are to be corrected to 15 percent oxygen and CO2concentration is measured in lieu of oxygen concentration measurement, a CO2correction factor is needed. Calculate the CO2correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.~~

~~(i) Calculate the fuel-specific Fovalue for the fuel burned during the test using values obtained from Method 19, section 5.2, and the following equation:~~

$$\cancel{F_o = \frac{0.209\, F_d}{F_c} \quad \text{(Eq. 2)}}$$

~~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 CO2correction factor for correcting measurement data to 15 percent oxygen, as follows:~~

$$\cancel{X_{co_2} = \frac{5.9}{F_o} \quad \text{(Eq. 3)}}$$

~~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 NOXand SO2gas concentrations adjusted to 15 percent O2using CO2as follows:~~

$$\cancel{C_{adj} = C_d \frac{X_{co_2}}{\%CO_2} \quad \text{(Eq. 4)}}$$

~~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, collection, 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 CO2at 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 CO2concentration.~~

~~(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.~~

~~(e) If you own or operate an existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions, an existing stationary emergency RICE, or an existing stationary RICE located at an area source of HAP emissions not subject to any numerical emission standards shown in Table 2d to this subpart, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.~~

~~(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.~~

~~(g) If you own or operate an existing non-emergency CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (g)(2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska not accessible by the FAHS do not have to meet the requirements of paragraph (g) in this section.~~

~~(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or~~

~~(2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals.~~

~~(h) If you operate a new or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.~~

~~(i) If you own or operate a stationary engine that is subject to the work, operation or management practices in items 1, 2, or 4 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil before continuing to use the engine. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for 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, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to 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, Tables 2a and 2b, Table 2c, and Table 2d to 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) 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).~~

~~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 a 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 (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed 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 emergency stationary RICE, an existing limited use 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.~~

~~(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a new emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that was installed on or after June 12, 2006, or an existing emergency stationary RICE located at an area source of HAP emissions, you must operate the engine according to the conditions described in paragraphs (f)(1) through (4) of this section.~~

~~(1) For owners and operators of emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as permitted in this section, is prohibited.~~

~~(2) There is no time limit on the use of emergency stationary RICE in emergency situations.~~

~~(3) You may operate your emergency stationary RICE 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. The owner or operator 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 RICE beyond 100 hours per year.~~

~~(4) You may operate your emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (f)(4), as long as the power provided by the financial arrangement is limited to emergency power.~~

~~[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) 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 if you own or operate any of the following;~~

~~(1) An existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.~~

~~(2) An existing stationary CI RICE located at an area source of HAP emissions.~~

~~(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.~~

~~(4) 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.~~

~~(5) This requirement does not apply if you own or operate an existing stationary CI RICE less than 100 HP, an existing stationary emergency CI RICE, or an existing stationary CI RICE that is not subject to any numerical emission standards.~~

~~(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 (b)(9) of this section.~~

~~(1) For semiannual Compliance reports, 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) For semiannual Compliance reports, 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) For semiannual Compliance reports, 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) For semiannual Compliance reports, 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 (b)(4) of this section.~~

~~(6) For annual Compliance reports, 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 December 31.~~

~~(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in §63.6595.~~

~~(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.~~

~~(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.~~

~~(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 malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an~~

~~affected source to minimize emissions in accordance with §63.6605(b), including actions taken to correct a malfunction.~~

~~(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)(5), (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) Records of the occurrence and duration of each malfunction of operation (i.e.,process equipment) or the air pollution control and monitoring equipment.~~

~~(3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).~~

~~(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.~~

~~(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.~~

~~(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.~~

~~(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;~~

~~(1) An existing stationary CI RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.~~

~~(2) An existing stationary emergency CI RICE.~~

~~(3) An existing stationary CI RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.~~

~~(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) or (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response.~~

~~(1) An existing emergency stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.~~

~~(2) An existing emergency stationary CI RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.~~

~~§ 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 for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).~~

~~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 a 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 (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed 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 specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill 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 specified in Table 8 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.~~

~~*Black start engine* means an engine whose only purpose is to start up a combustion turbine.~~

~~*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. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (e.g.biodiesel) that is suitable for use in compression ignition engines.~~

~~*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 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 for peak shaving are not considered emergency stationary ICE. Stationary CI ICE used to supply power to an electric grid or that supply non-emergency power as part of a financial arrangement with another entity are not considered to be emergency engines, except as permitted under §63.6640(f). 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. All other emergency stationary RICE must comply with the requirements specified in §63.6640(f).~~

~~*Engine startup* means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.~~

~~*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.~~

~~*Residential/commercial/institutional emergency stationary RICE* means an emergency stationary RICE used in residential establishments such as homes or residences, commercial establishments such as office buildings, hotels, or stores, or institutional establishments such as medical centers, research centers, and institutions of higher education.~~

~~*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]~~

~~Table 1a 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 limitation, except during periods of startup . . .~~	~~During periods of startup you must . . .~~
~~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~~	~~Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[1]~~
~~–~~	~~b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O2~~	

~~[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.~~

~~[73 FR 3607, Jan. 18, 2008]~~

~~Table1bto 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; or~~	~~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~~
~~4SRB stationary RICE complying with the~~	~~b. maintain the temperature of your stationary RICE~~

~~For each...~~	~~You must meet the following operating limitation...~~
~~requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O2and using NSCR.~~	~~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 O2and not using NSCR.~~	

~~[73 FR 3607, Jan. 18, 2008]~~

~~Table 2a to Subpart ZZZZ of Part 63. Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 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, except during periods of startup . . .~~	~~During periods of startup you must . . .~~
~~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 O2. 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 O2until June 15, 2007~~	~~Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.1~~
~~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 O2~~	
~~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 O2~~	

~~[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.~~

~~[73 FR 3608, Jan. 18, 2008]~~

~~Table 2b to Subpart ZZZZ of Part 63. Operating Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP Located at a Major Source of HAP Emissions, Existing Non-Emergency Compression Ignition Stationary RICE >500 HP, and New and Reconstructed 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.1~~
~~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.~~

~~[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(g) for a different temperature range.~~

~~[73 FR 3608, Jan. 18, 2008]~~

~~Table 2c to Subpart ZZZZ of Part 63. Requirements for Existing Compression Ignition Stationary Rice Located at Major Sources of HAP Emissions~~

~~[As stated in §§63.6600 and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE]~~

~~For each . . .~~	~~You must meet the following requirement, except during periods of startup . . .~~	~~During periods of startup you must . . .~~
~~1. Emergency CI and black start CI.1~~	~~a. Change oil and filter every 500 hours of operation or annually, whichever comes first;2~~ ~~b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;~~ ~~c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.3~~	~~Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.3~~
~~2. Non-Emergency, non-black start CI < 100 HP~~	~~a. Change oil and filter every 1,000 hours of operation or annually, whichever comes~~	

~~For each . . .~~	~~You must meet the following requirement, except during periods of startup . . .~~	~~During periods of startup you must . . .~~
	~~first;2~~	
~~–~~	~~b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;~~	
~~–~~	~~c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.3~~	
~~3. Non-Emergency, non-black start CI RICE 100≤HP≤300 HP~~	~~Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O2.~~	
~~4. Non-Emergency, non-black start CI 300<HP≤500~~	~~a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O2; or~~	
~~–~~	~~b. Reduce CO emissions by 70 percent or more.~~	
~~5. Non-Emergency, non-black start CI>500 HP~~	~~a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O2; or~~	
~~–~~	~~b. Reduce CO emissions by 70 percent or more.~~	

~~[1]If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.~~

~~[2]Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2c of this subpart.~~

~~[3]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.~~

~~Table 2d to Subpart ZZZZ of Part 63. Requirements for Existing Compression Ignition Stationary RICE Located at Area Sources of HAP Emissions~~

~~[As stated in §§63.6600 and 63.6640, you must comply with the following emission and operating limitations for existing compression ignition stationary RICE]~~

~~For each . . .~~	~~You must meet the following requirement, except during periods of startup . . .~~	~~During periods of startup you must . . .~~
~~1. Non-Emergency, non-black start CI ≤~~	~~a. Change oil and filter every 1,000 hours of operation or~~	

~~For each . . .~~	~~You must meet the following requirement, except during periods of startup . . .~~	~~During periods of startup you must . . .~~
~~300 HP~~	~~annually, whichever comes first;1~~	
~~–~~	~~b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;~~	~~Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.~~
~~–~~	~~c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary~~	
~~2. Non-Emergency, non-black start CI 300<HP≤500~~	~~a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O2; or~~	
~~–~~	~~b. Reduce CO emissions by 70 percent or more~~	
~~3. Non-Emergency, non-black start CI > 500 HP~~	~~a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O2; or~~	
~~–~~	~~b. Reduce CO emissions by 70 percent or more~~	
~~4. Emergency CI and black start CI.2~~	~~a. Change oil and filter every 500 hours of operation or annually, whichever comes first;1~~	
~~–~~	~~b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and~~	
~~–~~	~~c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary~~	

~~[1]Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2d of this subpart.~~

~~[2]If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.~~

~~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 with a brake horsepower >500 located at major sources and new or reconstructed CI stationary RICE with a brake horsepower >500 located at major sources~~	~~Reduce CO emissions and not using a CEMS~~	~~Conduct subsequent performance tests semiannually.1~~
~~2. 4SRB stationary RICE with a brake horsepower ≥5,000 located at major sources~~	~~Reduce formaldehyde emissions~~	~~Conduct subsequent performance tests semiannually.1~~
~~3. Stationary RICE with a brake horsepower >500 located at major sources~~	~~Limit the concentration of formaldehyde in the stationary RICE exhaust~~	~~Conduct subsequent performance tests semiannually.1~~
~~4. Existing non-emergency, non-black start CI stationary RICE with a brake horsepower >500 that are not limited use stationary RICE~~	~~Limit or reduce CO or formaldehyde emissions~~	~~Conduct subsequent performance tests every 8,760 hrs or 3 years, whichever comes first.~~
~~5. Existing non-emergency, non-black start CI stationary RICE with a brake horsepower >500 that are limited use stationary RICE~~		~~Conduct subsequent performance tests every 8,760 hrs or 5 years, whichever comes first.~~

~~[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 O2at the inlet and outlet of the control device; and~~	~~(1) Portable CO and O2analyzer.~~	~~(a) Using ASTM D6522–00 (2005)a(incorporated by reference, see §63.14). Measurements to determine O2must 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 O2analyzer.~~	~~(a) Using ASTM D6522–00 (2005)a,b(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~~	~~i. Select the sampling port~~	~~(1) Method 1 or 1A of 40 CFR part 60,~~	~~(a) Sampling sites must be located at the inlet and outlet~~

~~For each . . .~~	~~Complying with the requirement to . . .~~	~~You must . . .~~	~~Using . . .~~	~~According to the following requirements . . .~~
	~~emissions~~	~~location and the number of traverse points; and~~	~~appendix A §63.7(d)(1)(i)~~	~~of the control device.~~
~~–~~		~~ii. Measure O2at 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 O2concentration 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 of 40 CFR part 63, appendix A; or ASTM D6348–03c, 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 or CO in the stationary RICE exhaust~~	~~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) If using a control device, the sampling site must be located at the outlet of the control device.~~
~~–~~		~~ii. Determine the O2concentration 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 O2concentration 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~~	~~(1) Method 320 of 40 CFR part 63,~~	~~(a) Formaldehyde concentration must be at 15~~

~~For each . . .~~	~~Complying with the requirement to . . .~~	~~You must . . .~~	~~Using . . .~~	~~According to the following requirements . . .~~
		~~the exhaust of the stationary RICE; or~~	~~appendix A; or ASTM D6348–03c, 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~~	~~percent O2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.~~
~~–~~		~~v. Measure CO at the exhaust of the stationary RICE.~~	~~(1) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00 (2005)a, Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03~~	~~(a) CO concentration must be at 15 percent O2, dry basis. Results of this test consist of the average of the three 1-hour 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. ASTM–D6522–00 (2005) may be used to test both CI and SI stationary RICE.~~

~~[b]You may also use Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.~~

~~[c]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 >500 HP located at a major source and new or reconstructed CI stationary RICE >500 HP located at a major source~~	~~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.~~

~~For each . . .~~	~~Complying with the requirement to . . .~~	~~You have demonstrated initial compliance if . . .~~
~~2. 2SLB and 4SLB stationary RICE >500 HP located at a major source and new or reconstructed CI stationary RICE >500 HP located at a major source~~	~~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 >500 HP located at a major source and new or reconstructed CI stationary RICE >500 HP located at a major source~~	~~a. Reduce CO emissions, and using a CEMS~~	~~i. You have installed a CEMS to continuously monitor CO and either O2or CO2at 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 >500 HP located at a major source~~	~~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 >500 HP located at a major source~~	~~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~~

~~For each . . .~~	~~Complying with the requirement to . . .~~	~~You have demonstrated initial compliance if . . .~~
		~~§63.6625(b); and~~
~~–~~		~~iii. You have recorded the approved operating parameters (if any) during the initial performance test.~~
~~6. Stationary RICE >500 HP located at a major source~~	~~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 O2, 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 >500 HP located at a major source~~	~~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 O2, 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.~~
~~8. Existing stationary non-emergency RICE ≥100 HP located at a major source, existing non-emergency CI stationary RICE >500 HP, and existing stationary non-emergency RICE ≥100 HP located at an area source~~	~~a. Reduce CO or formaldehyde emissions~~	~~i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.~~
~~9. Existing stationary non-emergency RICE ≥100 HP located at a major source, existing non-emergency CI stationary RICE >500 HP, and existing stationary non-emergency RICE ≥100 HP located at an area source~~	~~a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust~~	~~i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O2, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.~~

~~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 >500 HP located at a major source and CI stationary RICE >500 HP located at a major source~~	~~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 achieveda; 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 >500 HP located at a major source and CI stationary RICE >500 HP located at a major source~~	~~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 achieveda; 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 stationary RICE >500 HP located at a major source and CI stationary RICE >500 HP located at a major source~~	~~a. Reduce CO emissions and using a CEMS~~	~~i. Collecting the monitoring data according to §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.~~

~~For each . . .~~	~~Complying with the requirement to . . .~~	~~You must demonstrate continuous compliance by . . .~~
~~4. 4SRB stationary RICE >500 HP located at a major source~~	~~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 >500 HP located at a major source~~	~~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; and~~
~~–~~		~~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 HP ≥5,000 located at a major source~~	~~Reduce formaldehyde emissions~~	~~Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved.a~~
~~7. Stationary RICE >500 HP located at a major source~~	~~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 limita; 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 >500 HP located at a major source~~	~~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 limita; 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;~~

~~For each . . .~~	~~Complying with the requirement to . . .~~	~~You must demonstrate continuous compliance by . . .~~
		~~and~~
~~–~~		~~iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.~~
~~9. Existing stationary CI RICE not subject to any numerical emission limitations~~	~~a. Work or Management practices~~	~~i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or~~
~~–~~		~~ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.~~
~~10. Existing stationary RICE >500 HP that are not limited use stationary RICE, except 4SRB >500 HP located at major sources~~	~~a. Reduce CO or formaldehyde emissions; or~~ ~~b. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust~~	~~i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit.~~
~~11. Existing limited use stationary RICE >500 HP that are limited use CI stationary RICE~~	~~a. Reduce CO or formaldehyde emissions; or~~ ~~b. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust~~	~~i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit.~~

~~[a]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)(1)–(5) for engines that are not limited use stationary CI RICE subject to numerical emission limitations; and~~ ~~ii. Annually according to the requirements in §63.6650(b)(6)–(9) for engines that are limited use stationary CI RICE subject to numerical emission limitations.~~
~~–~~	~~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,~~	~~i. Semiannually according to the requirements in §63.6650(b).~~

~~You must submit a(n) . . .~~	~~The report must contain . . .~~	~~You must submit the report . . .~~
	~~including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e); or~~	
~~–~~	~~c. If you had a malfunction during the reporting period, the information in §63.6650(c)(4).~~	~~i. Semiannually according to the requirements in §63.6650(b).~~
~~2. 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 2.a.i.~~
~~–~~	~~c. Any problems or errors suspected with the meters~~	~~i. *See* item 2.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]~~		
~~§63.6(c)(5)~~	~~Compliance dates for existing area sources that become major~~	~~Yes.~~	

~~General provisions citation~~	~~Subject of citation~~	~~Applies to subpart~~	~~Explanation~~
	~~sources~~		
~~§63.6(d)~~	~~[Reserved]~~		
~~§63.6(e)~~	~~Operation and maintenance~~	~~No.~~	
~~§63.6(f)(1)~~	~~Applicability of standards~~	~~No.~~	
~~§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, 63.6611, and 63.6612.~~
~~§63.7(a)(3)~~	~~CAA section 114 authority~~	~~Yes.~~	
~~§63.7(b)(1)~~	~~Notification of performance test~~	~~Yes~~	~~Except that §63.7(b)(1) only applies as specified in §63.6645.~~
~~§63.7(b)(2)~~	~~Notification of rescheduling~~	~~Yes~~	~~Except that §63.7(b)(2) only applies as specified in §63.6645.~~
~~§63.7(c)~~	~~Quality assurance/test plan~~	~~Yes~~	~~Except that §63.7(c) only applies as specified in §63.6645.~~
~~§63.7(d)~~	~~Testing facilities~~	~~Yes.~~	
~~§63.7(e)(1)~~	~~Conditions for conducting performance tests~~	~~No.~~	~~Subpart ZZZZ specifies conditions for conducting performance tests at §63.6620.~~
~~§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.~~	

~~General provisions citation~~	~~Subject of citation~~	~~Applies to subpart~~	~~Explanation~~
~~§63.8(a)(1)~~	~~Applicability of monitoring requirements~~	~~Yes~~	~~Subpart ZZZZ contains specific 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.~~
~~–~~	~~–~~	~~Except that §63.8(e) only applies as specified in §63.6645.~~	
~~§63.8(f)(1)–(5)~~	~~Alternative monitoring method~~	~~Yes~~	~~Except that §63.8(f)(4) only applies as specified in §63.6645.~~
~~§63.8(f)(6)~~	~~Alternative to relative accuracy test~~	~~Yes~~	~~Except that §63.8(f)(6) only applies as specified in §63.6645.~~
~~§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~~	~~Yes.~~	

~~General provisions citation~~	~~Subject of citation~~	~~Applies to subpart~~	~~Explanation~~
	~~of notification requirements~~		
~~§63.9(b)(1)–(5)~~	~~Initial notifications~~	~~Yes~~	~~Except that §63.9(b)(3) is reserved.~~
~~–~~	~~–~~	~~Except that §63.9(b) only applies as specified in §63.6645.~~	
~~§63.9(c)~~	~~Request for compliance extension~~	~~Yes~~	~~Except that §63.9(c) only applies as specified in §63.6645.~~
~~§63.9(d)~~	~~Notification of special compliance requirements for new sources~~	~~Yes~~	~~Except that §63.9(d) only applies as specified in §63.6645.~~
~~§63.9(e)~~	~~Notification of performance test~~	~~Yes~~	~~Except that §63.9(e) only applies as specified in §63.6645.~~
~~§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~~	~~Except that §63.9(g) only applies as specified in §63.6645.~~
~~§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.~~
~~–~~	~~–~~	~~Except that §63.9(g) only applies as specified in §63.6645.~~	
~~§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.~~
~~–~~	~~–~~	~~–~~	~~Except that §63.9(h) only applies as specified in §63.6645.~~
~~§63.9(i)~~	~~Adjustment of submittal deadlines~~	~~Yes.~~	
~~§63.9(j)~~	~~Change in previous information~~	~~Yes.~~	
~~§63.10(a)~~	~~Administrative provisions for recordkeeping/reporting~~	~~Yes.~~	
~~§63.10(b)(1)~~	~~Record retention~~	~~Yes.~~	
~~§63.10(b)(2)(i)–(v)~~	~~Records related to SSM~~	~~No.~~	
~~§63.10(b)(2)(vi)–(xi)~~	~~Records~~	~~Yes.~~	

~~General provisions citation~~	~~Subject of citation~~	~~Applies to subpart~~	~~Explanation~~
~~§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~~	~~No.~~	
~~§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.~~	

Indiana Department of Environmental Management
Office of Air Quality
Attachment E

Source Description and Location

Source Name:	**Liberty Landfill, Inc.**
Source Location:	**8635 East SR 16, Monticello, Indiana 47960**
County:	**White County**
SIC Code:	**4953**
Operation Permit No.:	**T 181-29266-00035**
Operation Permit Issuance Date:	**November 30, 2010**
Permit Reviewer:	**Kimberly Malley**

Stationary Reciprocating Internal Combustion Engines
NESHAP Requirements
[40 CFR Part 63, Subpart ZZZZ]

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 paragraphs (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(f).

(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.

(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(f) 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) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:

(i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(vi) Existing residential emergency stationary RICE located at an area source of HAP emissions;

(vii) Existing commercial emergency stationary RICE located at an area source of HAP emissions; or

(viii) Existing institutional emergency stationary RICE located at an area source of HAP emissions.

(c) *Stationary RICE subject to Regulations under 40 CFR Part 60.* An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section 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.

(1) A new or reconstructed stationary RICE located at an area source;

(2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;

(4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(5) A 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 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010]

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

(a) *Affected sources.* (1) If you have an existing stationary RICE, excluding existing non-emergency 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 applicable emission limitations and operating limitations no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than October 19, 2013.

(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; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

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?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

(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 stationary 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, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE; an existing 4SLB 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.

(d) If you own or operate an existing non-emergency stationary CI 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 2c to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010]

§ 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart. 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, as amended at 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

§ 63.6602 What emission limitations must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart which apply to you. Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

[75 FR 51589, Aug. 20, 2010]

§ 63.6603 What emission limitations and operating limitations must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 1b and Table 2b to this subpart that apply to you.

(b) If you own or operate an existing stationary non-emergency CI RICE greater than 300 HP located at area sources in areas of Alaska not accessible by the Federal Aid Highway System (FAHS) you do not have to meet the numerical CO emission limitations specified in Table 2d to this subpart. Existing stationary non-emergency CI RICE greater than 300 HP located at area sources in areas of Alaska not accessible by the FAHS must meet the management practices that are shown for stationary non-emergency CI RICE less than or equal to 300 HP in Table 2d to this subpart.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011]

§ 63.6604 What fuel requirements must I meet if I own or operate an existing stationary CI RICE?

If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel. Existing non-emergency CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or at area sources in areas of Alaska not accessible by the FAHS are exempt from the requirements of this section.

[75 FR 51589, Aug. 20, 2010]

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.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may

include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[75 FR 9675, Mar. 3, 2010]

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 new or reconstructed 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, as amended at 75 FR 51589, Aug. 20, 2010]

§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 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) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) 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.

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

§ 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 that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again.

(c) [Reserved]

(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.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010]

§ 63.6625 What are my monitoring, installation, collection, 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 paragraphs (b)(1) through (5) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

(1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in §63.8(d). As specified in §63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sampling interface (*e.g.,* thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with provisions in §63.8(c)(1) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in §63.10(c), (e)(1), and (e)(2)(i).

(2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.

(3) The CPMS must collect data at least once every 15 minutes (see also §63.6635).

(4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.

(6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

(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.

(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;

(2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;

(5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;

(6) An existing non-emergency, non-black start landfill or digester gas stationary RICE located at an area source of HAP emissions;

(7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (g)(2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska not accessible by the FAHS do not have to meet the requirements of paragraph (g) of this section.

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or

(2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals.

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of Table 2c to this subpart or in items 5, 6, 7, 9, or 11 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid

Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011]

§ 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, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(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.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

§ 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, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to 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, Tables 2a and 2b, Table 2c, and Table 2d to 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) 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 a 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 (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed 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 emergency stationary RICE, an existing limited use 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.

(f) *Requirements for emergency stationary RICE.* (1) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, 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 that was installed on or after June 12, 2006, or an existing emergency stationary RICE located at an area source of HAP emissions, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1)(i) through (iii) of this section. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1)(i) through (iii) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1)(i) through (iii) of this section, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) You may operate your emergency stationary RICE 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. The owner or operator 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 RICE beyond 100 hours per year.

(iii) You may operate your emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and

operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (f)(1)(iii), as long as the power provided by the financial arrangement is limited to emergency power.

(2) If you own or operate an emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that was installed prior to June 12, 2006, you must operate the engine according to the conditions described in paragraphs (f)(2)(i) through (iii) of this section. If you do not operate the engine according to the requirements in paragraphs (f)(2)(i) through (iii) of this section, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) You may operate your emergency stationary RICE 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.

(iii) You may operate your emergency stationary RICE for an additional 50 hours per year in non-emergency situations. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010]

Notifications, Reports, and Records

§ 63.6645 What notifications must I submit and when?

(a) 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 if you own or operate any of the following;

(1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

(2) An existing stationary RICE located at an area source of HAP emissions.

(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(4) 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.

(5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.

(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, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010]

§ 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 (b)(9) of this section.

(1) For semiannual Compliance reports, 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) For semiannual Compliance reports, 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) For semiannual Compliance reports, 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) For semiannual Compliance reports, 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 (b)(4) of this section.

(6) For annual Compliance reports, 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 December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in §63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(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 malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with §63.6605(b), including actions taken to correct a malfunction.

(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.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010]

§ 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)(5), (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) Records of the occurrence and duration of each malfunction of operation (*i.e.,* process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(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.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency RICE.

(3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) or (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010]

§ 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 for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

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 a 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 (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed 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 specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill 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 specified in Table 8 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.

[75 FR 9678, Mar. 3, 2010]

§ 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.**

***Black start engine* means an engine whose only purpose is to start up a combustion turbine.**

***CAA* means the Clean Air Act (42 U.S.C. 7401 *et seq.,* as amended by Public Law 101–549, 104 Stat. 2399).**

***Commercial emergency stationary RICE* means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.**

***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. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (*e.g.* biodiesel) that is suitable for use in compression ignition engines.**

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 internal combustion engine 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 RICE used to supply power to an electric grid or that supply non-emergency power as part of a financial arrangement with another entity are not considered to be emergency engines, except as permitted under §63.6640(f). All emergency stationary RICE must comply with the requirements specified in §63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in §63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.**

Engine startup **means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.**

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.**

Institutional emergency stationary RICE **means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.**

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.**

Residential emergency stationary RICE **means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.**

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 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 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; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011]

Table 1ato 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 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent 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 emission limitation, except during periods of startup . . .	During periods of startup you must . . .
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	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[1]
	b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O_2	

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9679, Mar. 3, 2010, as amended at 75 FR 51592, Aug. 20, 2010]

Table 1bto 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 and Existing Spark Ignition 4SRB Stationary RICE >500 HP Located at an Area Source of HAP Emissions

As stated in §§63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions and existing 4SRB stationary RICE >500 HP located at an area source of HAP emissions that operate more than 24 hours per calendar year:

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; 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 O2 and using NSCR; or 4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 2.7 ppmvd or less at 15 percent O2 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 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.

For each . . .	You must meet the following operating limitation . . .
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 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 O2 and not using NSCR; or 4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 2.7 ppmvd or less at 15 percent O2 and not using NSCR.	Comply with any operating limitations approved by the Administrator.

[76 FR 12867, Mar. 9, 2011]

Table 2ato Subpart ZZZZ of Part 63—Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions

As stated in §§63.6600 and 63.6640, 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, except during periods of startup . . .	During periods of startup you must . . .
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	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[1]
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	

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9680, Mar. 3, 2010]

Table 2bto Subpart ZZZZ of Part 63— Operating Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP Located at a Major Source of HAP Emissions, New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions, Existing Compression Ignition Stationary RICE >500 HP, and Existing 4SLB Stationary RICE >500 HP Located at an Area Source of HAP Emissions

As stated in §§63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and compression ignition stationary RICE located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; existing compression ignition stationary RICE >500 HP; and existing 4SLB stationary RICE >500 HP located at an area source of HAP emissions that operate more than 24 hours per calendar year:

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; or 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of CO 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.[1]
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; or 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst	Comply with any operating limitations approved by the Administrator.

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(g) for a different temperature range.

[75 FR 51593, Aug. 20, 2010, as amended at 76 FR 12867, Mar. 9, 2011]

Table 2cto Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions

As stated in §§63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE.[1]	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[2] b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3]	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.[3]
2. Non-Emergency, non-black start stationary CI RICE <100 HP	a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;[2]	
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3]	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O_2	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more.	
5. Non-Emergency, non-black start stationary CI RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O_2; or	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	b. Reduce CO emissions by 70 percent or more.	
6. Emergency stationary SI RICE and black start stationary SI RICE.[1]	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[2]	
	b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.[3]	
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[2]	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.[3]	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP	a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first;[2]	
	b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first;	
	c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.[3]	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O_2	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O_2	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O_2	
12. Non-emergency, non-black start landfill or digester gas-fired stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or less at 15 percent O_2	

[1]If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.

[2]Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2c of this subpart.

[3]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 51593, Aug. 20, 2010]

Table 2dto Subpart ZZZZ of Part 63— Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions

As stated in §§63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Non-Emergency, non-black start CI stationary RICE ≤300 HP	a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;[1]	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
2. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more.	
3. Non-Emergency, non-black start CI stationary RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O_2; or	
	b. Reduce CO emissions by 70 percent or more.	
4. Emergency stationary CI RICE and black start stationary CI RICE.[2]	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[1]	
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year.[2]	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;[1] b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
6. Non-emergency, non-black start 2SLB stationary RICE	a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first;[1]	
	b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.	
7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[1]	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
8. Non-emergency, non-black start 4SLB stationary RICE >500 HP	**a. Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd at 15 percent O_2; or**	
	b. Reduce CO emissions by 93 percent or more.	
9. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP	**a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[1]**	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	
10. Non-emergency, non-black start 4SRB stationary RICE >500 HP	**a. Limit concentration of formaldehyde in the stationary RICE exhaust to 2.7 ppmvd at 15 percent O_2; or**	
	b. Reduce formaldehyde emissions by 76 percent or more.	
11. Non-emergency, non-black start landfill or digester gas-fired stationary RICE	**a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;[1]**	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	

[1]Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement in Table 2d of this subpart.

[2]If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.

[75 FR 51595, Aug. 20, 2010]

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. New or reconstructed 2SLB stationary RICE with a brake horsepower >500 located at major sources; new or reconstructed 4SLB stationary RICE with a brake horsepower ≥250 located at major sources; and new or reconstructed CI stationary RICE with a brake horsepower >500 located at major sources	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually.[1]
2. 4SRB stationary RICE with a brake horsepower ≥5,000 located at major sources	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually.[1]
3. Stationary RICE with a brake horsepower >500 located at major sources and new or reconstructed 4SLB stationary RICE with a brake horsepower 250≤HP≤500 located at major sources	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually.[1]
4. Existing non-emergency, non-black start CI stationary RICE with a brake horsepower >500 that are not limited use stationary RICE; existing non-emergency, non-black start 4SLB and 4SRB stationary RICE located at an area source of HAP emissions with a brake horsepower >500 that are operated more than 24 hours per calendar year that are not limited use stationary RICE	Limit or reduce CO or formaldehyde emissions	Conduct subsequent performance tests every 8,760 hrs. or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE with a brake horsepower >500 that are limited use stationary RICE; existing non-emergency, non-black start 4SLB and 4SRB stationary RICE located at an area source of HAP emissions with a brake horsepower >500 that are operated more than 24 hours per calendar year and are limited use stationary RICE	Limit or reduce CO or formaldehyde emissions	Conduct subsequent performance tests every 8,760 hrs. or 5 years, whichever comes first.

[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.

[75 FR 51596, Aug. 20, 2010]

Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests

As stated in §§63.6610, 63.6611, 63.6612, 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_2 at the inlet and outlet of the control device; and	(1) Portable CO and O_2 analyzer	(a) Using ASTM D6522–00 (2005)[a] (incorporated by reference, see §63.14). Measurements to determine O_2 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_2 analyzer	(a) Using ASTM D6522–00 (2005)[ab] (incorporated by reference, see §63.14) or Method 10 of 40 CFR appendix A. The CO concentration must be at 15 percent O_2, 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 O_2 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 D6522–00m (2005)	(a) Measurements to determine O_2 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.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		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,[c] 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 O_2, 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 or CO in the stationary RICE exhaust	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) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O_2 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 O_2 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; or	(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348–03,[c] 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 O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		v. Measure CO at the exhaust of the stationary RICE	(1) Method 10 of 40 CFR part 60, appendix A, ASTM Method D6522–00 (2005),[a]Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03	(a) CO Concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour 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. ASTM–D6522–00 (2005) may be used to test both CI and SI stationary RICE.

[b]You may also use Method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03.

[c]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.

[75 FR 51597, Aug. 20, 2010]

Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations and Operating Limitations

As stated in §§63.6612, 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. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	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.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if. . .
2. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	**a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS**	**i. The average CO concentration determined from the initial performance test is less than or equal to the CO 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.**
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	**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.**
4. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	**a. Limit the concentration of CO, and not using oxidation catalyst**	**i. The average CO concentration determined from the initial performance test is less than or equal to the CO 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.**

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if. . .
5. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	**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.**
6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP located at an area source of HAP, and existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	**a. Limit the concentration of CO, and using a CEMS**	**i. You have installed a CEMS to continuously monitor CO and either O_2or CO_2at the 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 concentration of CO calculated using §63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.
7. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	**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**

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if. . .
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	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.
9. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	a. Limit the concentration of formaldehyde and not using NSCR	i. The average formaldehyde concentration determined from the initial performance test 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.
10. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP	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.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if. . .
11. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP	**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.
12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	**a. Reduce CO or formaldehyde emissions**	**i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.**
13. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	**a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust**	**i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O_2, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.**

[76 FR 12867, Mar. 9, 2011]

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, Operating Limitations, Work Practices, and Management Practices

As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	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;[a] 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. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	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;[a] 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.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE >500 HP located at a major source of HAP, existing non-emergency stationary CI RICE >500 HP, existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are operated more than 24 hours per calendar year	**a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS**	**i. Collecting the monitoring data according to §63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration 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, or that the emission remain at or below the CO concentration limit; 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. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	**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. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	**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; and**
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
6. Non-emergency 4SRB stationary RICE with a brake HP ≥5,000 located at a major source of HAP	**a. Reduce formaldehyde emissions**	**Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved.[a]**
7. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250 ≤HP≤500 located at a major source of HAP	**a. 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;[a]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. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250 ≤HP≤500 located at a major source of HAP	**a. 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;[a]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.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE <100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency landfill or digester gas stationary SI RICE located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate 24 hours or less per calendar year	**a. Work or Management practices**	**i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.**
10. Existing stationary CI RICE >500 HP that are not limited use stationary RICE, and existing 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate more than 24 hours per calendar year and are not limited use stationary RICE	**a. Reduce CO or formaldehyde emissions, or limit the concentration of formaldehyde or CO in the stationary RICE exhaust, and using oxidation catalyst or NSCR**	**i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; 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.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE, and existing 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate more than 24 hours per calendar year and are not limited use stationary RICE	**a. Reduce CO or formaldehyde emissions, or limit the concentration of formaldehyde or CO in the stationary RICE exhaust, and not using oxidation catalyst or NSCR**	**i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; 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.
12. Existing limited use CI stationary RICE >500 HP and existing limited use 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate more than 24 hours per calendar year	**a. Reduce CO or formaldehyde emissions or limit the concentration of formaldehyde or CO in the stationary RICE exhaust, and using an oxidation catalyst or NSCR**	**i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; 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.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
13. Existing limited use CI stationary RICE >500 HP and existing limited use 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate more than 24 hours per calendar year	a. Reduce CO or formaldehyde emissions or limit the concentration of formaldehyde or CO in the stationary RICE exhaust, and not using an oxidation catalyst or NSCR	i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; 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.

[a]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.

[76 FR 12870, Mar. 9, 2011]

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:

For each ...	You must submit a ...	The report must contain ...	You must submit the report ...
1. Existing non-emergency, non-black start stationary RICE 100≤HP≤500 located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >300 HP located at an area source of HAP; existing non-emergency, non-black start 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP and operated more than 24 hours per calendar year; new or reconstructed non-emergency	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 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	i. Semiannually according to the requirements in §63.6650(b)(1)–(5) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in §63.6650(b)(6)–(9) for engines that are limited use stationary RICE subject to numerical emission limitations. i. Semiannually according to the requirements in

stationary RICE >500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP		**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 c. If you had a malfunction during the reporting period, the information in §63.6650(c)(4)**	**§63.6650(b). i. Semiannually according to the requirements in §63.6650(b).**
2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	**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 2.a.i.**
		c. Any problems or errors suspected with the meters.	**i. See item 2.a.i.**

[75 FR 51603, Aug. 20, 2010]

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.	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§63.6(c)(1)–(2)	Compliance dates for existing sources	Yes.	
§63.6(c)(3)–(4)	[Reserved]		
§63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes.	
§63.6(d)	[Reserved]		
§63.6(e)	Operation and maintenance	No.	
§63.6(f)(1)	Applicability of standards	No.	
§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, 63.6611, and 63.6612.
§63.7(a)(3)	CAA section 114 authority	Yes.	
§63.7(b)(1)	Notification of performance test	Yes	Except that §63.7(b)(1) only applies as specified in §63.6645.
§63.7(b)(2)	Notification of rescheduling	Yes	Except that §63.7(b)(2) only applies as specified in §63.6645.
§63.7(c)	Quality assurance/test plan	Yes	Except that §63.7(c) only applies as specified in §63.6645.
§63.7(d)	Testing facilities	Yes.	
§63.7(e)(1)	Conditions for conducting performance tests	No.	Subpart ZZZZ specifies conditions for conducting performance tests at §63.6620.
§63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at §63.6620.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§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 requirements	Yes	Subpart ZZZZ contains specific 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.

General provisions citation	Subject of citation	Applies to subpart	Explanation
		Except that §63.8(e) only applies as specified in §63.6645.	
§63.8(f)(1)–(5)	Alternative monitoring method	Yes	Except that §63.8(f)(4) only applies as specified in §63.6645.
§63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that §63.8(f)(6) only applies as specified in §63.6645.
§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.
		Except that §63.9(b) only applies as specified in §63.6645.	
§63.9(c)	Request for compliance extension	Yes	Except that §63.9(c) only applies as specified in §63.6645.
§63.9(d)	Notification of special compliance requirements for new sources	Yes	Except that §63.9(d) only applies as specified in §63.6645.
§63.9(e)	Notification of performance test	Yes	Except that §63.9(e) only applies as specified in §63.6645.
§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	Except that §63.9(g) only applies as specified in §63.6645.
§63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use.
		Except that §63.9(g) only applies as specified in §63.6645.	
§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.
			Except that §63.9(h) only applies as specified in §63.6645.
§63.9(i)	Adjustment of submittal deadlines	Yes.	
§63.9(j)	Change in previous information	Yes.	
§63.10(a)	Administrative provisions for recordkeeping/reporting	Yes.	
§63.10(b)(1)	Record retention	Yes.	
§63.10(b)(2)(i)–(v)	Records related to SSM	No.	
§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	No.	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§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.	

[75 FR 9688, Mar. 3, 2010]

Conclusion and Recommendation

The construction of this proposed modification shall be subject to the conditions of the attached proposed Part 70 Significant Source Modification No. 181-31031-00035 and Significant Permit Modification No. 181-31170-00035. The staff recommends to the Commissioner that this Part 70 Significant Source and Significant Permit Modification be approved.

IDEM Contact

(a) Questions regarding this proposed permit can be directed to David Matousek 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) 232-8253 or toll free at 1-800-451-6027 extension 2-8253.

(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

Technical Support Document - Appendix A
Emission Summary Sheet

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: 181-31031-00035
Reviewer: David Matousek
Date: December 27, 2011

326 IAC 2-7-10.5 and 326 IAC 2-2 Applicability

Potential to Emit of New Flare - 326 IAC 2-7-10.5

Emission Unit	PM	PM10	PM2.5	SO_2	VOC	CO	NOx	Biogenic GHG (CO2e)	Nonbiogenic GHG (CO2e)	Single HAP (HCL)	Total HAPs
New Flare	6.14	6.14	6.14	18.86	1.99	121.55	22.34	43,362	262	2.65	3.30

Past Actual Emissions Old Flare

Emission Unit	PM	PM10	PM2.5	SO_2	VOC	CO	NOx	Biogenic GHG (CO2e)	Nonbiogenic GHG (CO2e)	Single HAP (HCL)	Total HAPs
Old Flare 1/1 to 12/31/2008	1.26	1.26	1.26	3.64	0.41	24.61	4.52	8,862	53	0.51	0.64
Old Flare 1/1 to 12/31/2009	1.27	1.27	1.27	4.14	0.41	25.07	4.61	8,956	53	0.58	0.71
Past Actual Emissions	1.27	1.27	1.27	3.89	0.41	24.84	4.57	8,909	53	0.55	0.68
Potential to Emit Old Flare	3.53	3.53	3.53	10.29	1.14	60.12	11.05	24,913	153	1.44	1.81

Permit Level Determination - PSD Actual to Projected Actual Test

Emission Unit	PM	PM10	PM2.5	SO_2	VOC	CO	NOx	Biogenic GHG (CO2e)	Nonbiogenic GHG (CO2e)	Single HAP (HCL)	Total HAPs
Past Actual Emissions Old Flare	1.27	1.27	1.27	3.89	0.41	24.84	4.57	8,909	53	0.55	0.68
The Flare Could Have Accommodated	2.26	2.26	2.26	6.40	0.73	35.28	6.48	16,004	100	0.89	1.13
Potential to Emit New Flare	6.14	6.14	6.14	18.86	1.99	121.55	22.34	43,362	262	2.65	3.30
Total for Modification	2.61	2.61	2.61	8.57	0.85	61.43	11.29	18,449	109	1.21	1.49
Significant Levels	25	15	10	40	40	100	40	---	75,000	---	---

Source Status

Emission Unit	PM	PM10	PM2.5	SO_2	VOC	CO	NOx	Biogenic GHG (CO2e)	Nonbiogenic GHG (CO2e)	Single HAP (Toluene)	Total HAPs
PTE Before Modification T181-29266-00035	19.49	19.49	19.49	29.45	6.08	317.30	232.75	153,913	220,267	4.13	19.01
Total for Modification	2.61	2.61	2.61	8.57	0.85	61.43	11.29	18,449	109	0.00	1.49
PTE After Modification	22.10	22.10	22.10	38.02	6.93	378.73	244.04	172,362	220,376	4.13	20.50

Technical Support Document - Appendix A
Potential to Emit - New Flare

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

Input Data

Flare Heat Input Capacity	75.00	MMBtu/hr	Molecular Weight (S)	32.065	lb/lb mole
Heating Value of Landfill Gas	500.00	Btu/CF	Molecular Weight (SO2)	64.060	lb/lb mole
Landfill Gas Required	2,500	SCFM	Molecular Weight (HCL)	36.458	lb/lb mole
Inlet Gas Temperature	519.67	R	Weight % Water in LFG	0.0%	
Inlet Gas Pressure	1	atm			
Flare Design Flow Rate	2,500	SCFM			

Landfill Gas Flow Rate (Wet Basis)		Landfill Gas Flow Rate (Dry Basis)		% Methane	Methane Flow Rate (Dry Basis)			
2,500	SCFM	2,500	DSCFM	55.00%	1,375	SCFM	or	723 MMSCF/yr

Potential to Emit Calculations - Flare

Pollutant	Concentration (ppmv)	Pollutant Flow (SCFM)	Throughput (SCFM or MMBtu/hr)	Emission Factor		PTE (TPY)	Notes
PM			1,375	17.0	lb/MMCF CH4, dry basis	6.14	AP-42, Chapter 2.4, Table 2.4-5, 11/98
PM10			1,375	17.0	lb/MMCF CH4, dry basis	6.14	Assumed the same as PM
PM2.5			1,375	17.0	lb/MMCF CH4, dry basis	6.14	Assumed the same as PM
Sulfur	170	0.425				9.44	C_s provided by applicant. See note 8
SO2						18.86	PTE (SO2) = PTE (S) x MW (SO2) / MW (S)
VOC			1,375	5.5	lb/MMSCF	1.99	AP-40, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
CO			75.00	0.37	lb/MMBtu	121.55	Vendor Guarantee
NOx			75.00	0.068	lb/MMBtu	22.34	Vendor Guarantee
Hexane			1,375	1.8	lb/MMSCF	0.65	AP-40, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
HCL	42	0.105				2.65	AP-42, Chapter 2.4, Section 2.4.4.2, 11/98 See Note 8
Total HAP						3.30	Sum of Hexane and HCL Minor HAPs are insignificant
CO2			1,375	120,000	lb/MMSCF	43,362	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on CH4 combustion only (TPY CO2)
CH4			1,375	2.3	lb/MMSCF	0.83	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on CH4 combustion only (TPY CH4)
N2O			1,375	2.2	lb/MMSCF	0.79	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on CH4 combustion only (TPY N2O)
Biogenic GHG as CO2e						43,362	All CO2 is biogenic
Non-Biogenic GHG as CO2e						262	CH4 and N2O are nonbiogenic

Methodology:
1) Methane Flow Rate = Flare Gas Flow Rate x (% Methane)
2) AP-42 does not include emission factors for PM10 or PM2.5. They are assumed identical to PM.
3) DSCFM = SCFM (1 - % Water)
4) Pollutant Flow (SCFM) = [Total Landfill Flow (SCFM)] x [ppmv pollutant / 1,000,000]
5) PTE (TPY) = Flow (CFM) x Emission Factor (lb/MMCF) x [MMCF/1,000,000 CF] x [60 min/hr] x [8,760 hr/yr] x [ton/2,000 lb]
6) PTE (TPY) = Heat Input (MMBtu/hr) x Emission Factor (lb/MMBtu) x [8,760 hr/yr] x [ton/2,000 lb]
7) CO2e = [TPY CO2] + 21 x [TPY CH4] + 310 x [TPY N2O]
8) PTE (tons/yr) = $\frac{360 \times Q_{pollutant}(CFM) \times MW\ (lb/lb\ mole) \times P\ (atm)}{T(R)}$ (AP-42, Chapter 2.4, Eq. 4 - converted to US units)

Technical Support Document - Appendix A
Actual Emissions - Old Flare - PTE

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

Input Data

Flare Heat Input Capacity	37.10	MMBtu/hr	Molecular Weight (S)	32.065	lb/lb mole
Heating Value of Landfill Gas	454.00	Btu/CF	Molecular Weight (SO2)	64.060	lb/lb mole
Landfill Gas Required	1,362	SCFM	Molecular Weight (HCL)	36.458	lb/lb mole
Inlet Gas Temperature	519.67	R	Weight % Water in LFG	0.0%	
Inlet Gas Pressure	1	atm			
Actual LFG Flow Rate	1,362	SCFM			

Landfill Gas Flow Rate (Wet Basis)		Landfill Gas Flow Rate (Dry Basis)		% Methane	Methane Flow Rate (Dry Basis)			
1,362	SCFM	1,362	DSCFM	58.00%	790 SCFM	or	416 MMSCF/yr	

Potential to Emit Calculations - Flare

Pollutant	Concentration (ppmv)	Pollutant Flow (SCFM)	Throughput (SCFM or MMBtu/hr)	Emission Factor		PTE (TPY)	Notes
PM			790	17.0	lb/MMCF CH4, dry basis	3.53	AP-42, Chapter 2.4, Table 2.4-5, 11/98
PM10			790	17.0	lb/MMCF CH4, dry basis	3.53	Assumed the same as PM
PM2.5			790	17.0	lb/MMCF CH4, dry basis	3.53	Assumed the same as PM
Sulfur	170	0.232				5.15	C_s provided by applicant. See note 8
SO2						10.29	PTE (SO2) = PTE (S) x MW (SO2) / MW (S)
VOC			790	5.5	lb/MMSCF	1.14	AP-40, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
CO			37.10	0.37	lb/MMBtu	60.12	Vendor Guarantee
NOx			37.10	0.068	lb/MMBtu	11.05	Vendor Guarantee
Hexane			790	1.8	lb/MMSCF	0.37	AP-40, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
HCL	42	0.057				1.44	AP-42, Chapter 2.4, Section 2.4.4.2, 11/98 See Note 8
Total HAP						1.81	Sum of Hexane and HCL Minor HAPs are insignificant
CO2			790	120,000	lb/MMSCF	24,913	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on methane combustion only
CH4			790	2.3	lb/MMSCF	0.48	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on methane combustion only
N2O			790	2.2	lb/MMSCF	0.46	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on methane combustion only
Biogenic GHG as CO2e						24,913	All CO2 is biogenic
Non-Biogenic GHG as CO2e						153	CH4 and N2O are nonbiogenic

Methodology:
1) Methane Flow Rate = Flare Gas Flow Rate x (% Methane)
2) AP-42 does not include emission factors for PM10 or PM2.5. They are assumed identical to PM.
3) DSCFM = SCFM (1 - % Water)
4) Pollutant Flow (SCFM) = [Total Landfill Flow (SCFM)] x [ppmv pollutant / 1,000,000]
5) PTE (TPY) = Flow (CFM) x Emission Factor (lb/MMCF) x [MMCF/1,000,000 CF] x [60 min/hr] x [8,760 hr/yr] x [ton/2,000 lb]
6) PTE (TPY) = Heat Input (MMBtu/hr) x Emission Factor (lb/MMBtu) x [8,760 hr/yr] x [ton/2,000 lb]
7) CO2e = [TPY CO2] + 21 x [TPY CH4] + 310 x [TPY N2O]
8) PTE (tons/yr) = $\frac{360 \times Q_{pollutant}(CFM) \times MW\ (lb/lb\ mole) \times P\ (atm)}{T(R)}$ (AP-42, Chapter 2.4, Eq. 4 - converted to US units)

Technical Support Document - Appendix A
Actual Emissions - Old Flare - 01/01/2008 to 12/31/2008

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

Input Data

Flare Heat Input Capacity	15.19	MMBtu/hr	Molecular Weight (S)	32.065	lb/lb mole
Heating Value of Landfill Gas	523.00	Btu/CF	Molecular Weight (SO2)	64.060	lb/lb mole
Landfill Gas Required	484	SCFM	Molecular Weight (HCL)	36.458	lb/lb mole
Inlet Gas Temperature	519.67	R	Weight % Water in LFG	0.0%	
Inlet Gas Pressure	1	atm			
Actual LFG Flow Rate	484	SCFM			

Landfill Gas Flow Rate (Wet Basis)		Landfill Gas Flow Rate (Dry Basis)		% Methane	Methane Flow Rate (Dry Basis)		
484	SCFM	484	DSCFM	58.00%	281 SCFM	or	148 MMSCF/yr

Potential to Emit Calculations - Flare

Pollutant	Concentration (ppmv)	Pollutant Flow (SCFM)	Throughput (SCFM or MMBtu/hr)	Emission Factor		PTE (TPY)	Notes
PM			281	17.0	lb/MMCF CH4, dry basis	1.26	AP-42, Chapter 2.4, Table 2.4-5, 11/98
PM10			281	17.0	lb/MMCF CH4, dry basis	1.26	Assumed the same as PM
PM2.5			281	17.0	lb/MMCF CH4, dry basis	1.26	Assumed the same as PM
Sulfur	170	0.082				1.82	C_s provided by applicant. See note 8
SO2						3.64	PTE (SO2) = PTE (S) x MW (SO2) / MW (S)
VOC			281	5.5	lb/MMSCF	0.41	AP-40, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
CO			15.19	0.37	lb/MMBtu	24.61	Vendor Guarantee
NOx			15.19	0.068	lb/MMBtu	4.52	Vendor Guarantee
Hexane			281	1.8	lb/MMSCF	0.13	AP-40, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
HCL	42	0.02				0.51	AP-42, Chapter 2.4, Section 2.4.4.2, 11/98 See Note 8
Total HAP						0.64	Sum of Hexane and HCL Minor HAPs are insignificant
CO2			281	120,000	lb/MMSCF	8,862	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on methane combustion only
CH4			281	2.3	lb/MMSCF	0.17	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on methane combustion only
N2O			281	2.2	lb/MMSCF	0.16	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on methane combustion only
Biogenic GHG as CO2e						8,862	All CO2 is biogenic
Non-Biogenic GHG as CO2e						53	CH4 and N2O are nonbiogenic

Methodology:
1) Methane Flow Rate = Flare Gas Flow Rate x (% Methane)
2) AP-42 does not include emission factors for PM10 or PM2.5. They are assumed identical to PM.
3) DSCFM = SCFM (1 - % Water)
4) Pollutant Flow (SCFM) = [Total Landfill Flow (SCFM)] x [ppmv pollutant / 1,000,000]
5) PTE (TPY) = Flow (CFM) x Emission Factor (lb/MMCF) x [MMCF/1,000,000 CF] x [60 min/hr] x [8,760 hr/yr] x [ton/2,000 lb]
6) PTE (TPY) = Heat Input (MMBtu/hr) x Emission Factor (lb/MMBtu) x [8,760 hr/yr] x [ton/2,000 lb]
7) CO2e = [TPY CO2] + 21 x [TPY CH4] + 310 x [TPY N2O]
8) PTE (tons/yr) = $\frac{360 \times Q_{pollutant}(CFM) \times MW\ (lb/lb\ mole) \times P\ (atm)}{T(R)}$ (AP-42, Chapter 2.4, Eq. 4 - converted to US units)

Technical Support Document - Appendix A
Actual Emissions - Old Flare - 01/01/2009 to 12/31/2009

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

Input Data

Flare Heat Input Capacity	15.467	MMBtu/hr	Molecular Weight (S)	32.065	lb/lb mole
Heating Value of Landfill Gas	473.00	Btu/CF	Molecular Weight (SO2)	64.060	lb/lb mole
Landfill Gas Required	545	SCFM	Molecular Weight (HCL)	36.458	lb/lb mole
Inlet Gas Temperature	519.67	R	Weight % Water in LFG	0.0%	
Inlet Gas Pressure	1	atm			
Actual LFG Flow Rate	545	SCFM			

Landfill Gas Flow Rate (Wet Basis)		Landfill Gas Flow Rate (Dry Basis)		% Methane	Methane Flow Rate (Dry Basis)			
545	SCFM	545	DSCFM	52.00%	284 SCFM	or	150	MMSCF/yr

Potential to Emit Calculations - Flare

Pollutant	Concentration (ppmv)	Pollutant Flow (SCFM)	Throughput (SCFM or MMBtu/hr)	Emission Factor		PTE (TPY)	Notes
PM			284	17.0	lb/MMCF CH4, dry basis	1.27	AP-42, Chapter 2.4, Table 2.4-5, 11/98
PM10			284	17.0	lb/MMCF CH4, dry basis	1.27	Assumed the same as PM
PM2.5			284	17.0	lb/MMCF CH4, dry basis	1.27	Assumed the same as PM
Sulfur	170	0.093				2.07	C_s provided by applicant. See note 8
SO2						4.14	PTE (SO2) = PTE (S) x MW (SO2) / MW (S)
VOC			284	5.5	lb/MMSCF	0.41	AP-40, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
CO			15.47	0.37	lb/MMBtu	25.07	Vendor Guarantee
NOx			15.47	0.068	lb/MMBtu	4.61	Vendor Guarantee
Hexane			284	1.8	lb/MMSCF	0.13	AP-40, Chapter 1.4, Table 1.4-2, 7/98 Based on methane combustion in flare
HCL	42	0.023				0.58	AP-42, Chapter 2.4, Section 2.4.4.2, 11/98 See Note 8
Total HAP						0.71	Sum of Hexane and HCL Minor HAPs are insignificant
CO2			284	120,000	lb/MMSCF	8,956	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on methane combustion only
CH4			284	2.3	lb/MMSCF	0.17	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on methane combustion only
N2O			284	2.2	lb/MMSCF	0.16	AP-42, Chapter 1.4, Table 1.4-7, 7/98 Based on methane combustion only
Biogenic GHG as CO2e						8,956	All CO2 is biogenic
Non-Biogenic GHG as CO2e						53	CH4 and N2O are nonbiogenic

Methodology:
1) Methane Flow Rate = Flare Gas Flow Rate x (% Methane)
2) AP-42 does not include emission factors for PM10 or PM2.5. They are assumed identical to PM.
3) DSCFM = SCFM (1 - % Water)
4) Pollutant Flow (SCFM) = [Total Landfill Flow (SCFM)] x [ppmv pollutant / 1,000,000]
5) PTE (TPY) = Flow (CFM) x Emission Factor (lb/MMCF) x [MMCF/1,000,000 CF] x [60 min/hr] x [8,760 hr/yr] x [ton/2,000 lb]
6) PTE (TPY) = Heat Input (MMBtu/hr) x Emission Factor (lb/MMBtu) x [8,760 hr/yr] x [ton/2,000 lb]
7) CO2e = [TPY CO2] + 21 x [TPY CH4] + 310 x [TPY N2O]
8) PTE (tons/yr) = $\frac{360 \times Q_{pollutant}(CFM) \times MW\ (lb/lb\ mole) \times P\ (atm)}{T(R)}$ (AP-42, Chapter 2.4, Eq. 4 - converted to US units)

Technical Support Document - Appendix A
Source Wide Greenhouse Gas Emissions - After Modification

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

1) Municipal Solid Waste Landfill (LandGEM Summary)

Potential to Emit				
Pollutant	**PTE**	**PTE (CO_2e)**	**Biogenic (TPY CO2e)**	**Non-Biogenic GHG (TPY CO2e)**
CO_2	110,700 TPY CO_2	110,700	110,700	0
CH_4	40,360 TPY CH_4	847,560	0	847,560
N_2O	0 TPY N_2O	0	0	0
	PTE (TPY as CO2e)		110,700	847,560

Landfill GHG Emissions			
Pollutant	**Control Efficiency (%)**	**Landfill Biogenic GHG (TPY CO2e)**	**Landfill Nonbiogenic GHG (TPY CO2e)**
CO_2	0%	110,700	0
CH_4	75%	0	211,890
N_2O	0%	0	0
	Fugitive GHG	110,700	211,890

2) New Flare Emissions (See Sheet 2)

New Flare				
Pollutant	**PTE (TPY)**	**GWP**	**Biogenic GHG (TPY CO2e)**	**Nonbiogenic GHG (TPY CO2e)**
CO_2	43,362	1	43,362	0
CH_4	0.83	21	0	17
N_2O	0.79	310	0	245
	GHG Emissions		43,362	262

3) Engine Emissions (Total 8 Engines - Heat Input of 8.9 MMBtu/hr Each)

Total Heat Input 71.2 MMBtu/hr

Pollutant	Emission Factor (lb/MMBtu)	PTE (TPY)	GWP	Biogenic GHG (TPY CO2e)	Nonbiogenic GHG (TPY CO2e)	Source
CO_2	110	34,304	1	34,304	0	AP-42, Chapter 3.2, Table 3.2-2, 7/2000
CH_4	1.25	390	21	0	8,190	AP-42, Chapter 3.2, Table 3.2-2, 7/2000
N_2O	0.001389	0.430	310	0	133	40 CFR 98, Subpart C, Table C-2
	GHG Emissions (TPY as CO_2e)			34,304	8,323	

Source Potential to Emit (GHG)		
Emission Unit	Biogenic GHG (CO2e)	Non-biogenic GHG (CO2e)
Landfill	110,700	847,560
Flare	43,362	262
Engines	34,304	8,323
Total	188,366	856,145

Source Potential to Emit After Issuance (GHG)		
Emission Unit	Biogenic GHG (CO2e)	Non-biogenic GHG (CO2e)
Landfill	110,700	211,890
Flare	43,362	262
Engines	34,304	8,323
Total	188,366	220,475

Technical Support Document - Appendix A
Source Wide Greenhouse Gas Emissions - After Modification

Company Name: Liberty Landfill, Inc.
Address: 8635 E SR 16, Monticello, Indiana 47960
Permit Number: T 181-31031-00035
Reviewer: David J. Matousek
Date: December 27, 2011

1) Municipal Solid Waste Landfill (LandGEM Summary)

Potential to Emit				
Pollutant	**PTE**	**PTE (CO_2e)**	**Biogenic (TPY CO2e)**	**Non-Biogenic GHG (TPY CO2e)**
CO_2	110,700 TPY CO_2	110,700	110,700	0
CH_4	40,360 TPY CH_4	847,560	0	847,560
N_2O	0 TPY N_2O	0	0	0
	PTE (TPY as CO2e)		110,700	847,560

Landfill GHG Emissions			
Pollutant	**Control Efficiency (%)**	**Landfill Biogenic GHG (TPY CO2e)**	**Landfill Nonbiogenic GHG (TPY CO2e)**
CO_2	0%	110,700	0
CH_4	75%	0	211,890
N_2O	0%	0	0
	Fugitive GHG	110,700	211,890

2) Old Flare Emissions (See Sheets 3 and 4)

Old Flare						
Pollutant	**PTE 2008 (TPY)**	**PTE 2009 (TPY)**	**PTE (TPY)**	**GWP**	**Biogenic GHG (TPY CO2e)**	**Nonbiogenic GHG (TPY CO2e)**
CO_2	8,862	8,956	8,909	1	8,909	0
CH_4	0.17	0.17	0.17	21	0	4
N_2O	0.16	0.16	0.16	310	0	50
		GHG Emissions			8,909	54

3) Engine Emissions (Total 8 Engines - Heat Input of 8.9 MMBtu/hr Each)

Total Heat Input 71.2 MMBtu/hr

Pollutant	Emission Factor (lb/MMBtu)	PTE (TPY)	GWP	Biogenic GHG (TPY CO2e)	Nonbiogenic GHG (TPY CO2e)	Source
CO_2	110	34,304	1	34,304	0	AP-42, Chapter 3.2, Table 3.2-2, 7/2000
CH_4	1.25	390	21	0	8,190	AP-42, Chapter 3.2, Table 3.2-2, 7/2000
N_2O	0.001389	0.430	310	0	133	40 CFR 98, Subpart C, Table C-2
	GHG Emissions (TPY as CO_2e)			34,304	8,323	

Source Potential to Emit (GHG)		
Emission Unit	Biogenic GHG (CO2e)	Non-biogenic GHG (CO2e)
Landfill	110,700	847,560
Flare	8,909	54
Engines	34,304	8,323
Total	153,913	855,937

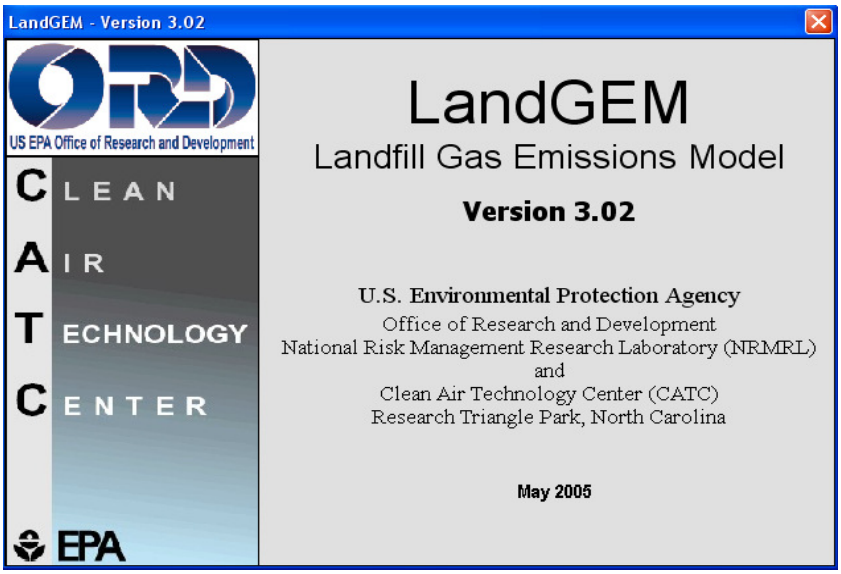
Source Potential to Emit After Issuance (GHG)		
Emission Unit	Biogenic GHG (CO2e)	Non-biogenic GHG (CO2e)
Landfill	110,700	211,890
Flare	8,909	54
Engines	34,304	8,323
Total	153,913	220,267

Indiana Department of Environmental Management
Office of Air Quality
Technical Support Document - Appendix B:

Source Description and Location

Source Name:	Liberty Landfill, Inc. - Waste Management of Indiana, LLC
Source Location:	8635 East SR 16, Monticello, Indiana 47960
County:	White County
SIC Code:	4953
Operation Permit No.:	T 181-29266-00035
Operation Permit Issuance Date:	November 30, 2010
Significant Source Modification No.:	181-31031-00035
Significant Permit Modification No.:	181-31170-00035
Permit Reviewer:	David Matousek

LandGEM Calculations



Summary Report

Landfill Name or Identifier: Liberty Landfill, Inc.

Date: Monday, January 09, 2012

Description/Comments:

About LandGEM:

First-Order Decomposition Rate Equation:

$$Q_{CH_4} = \sum_{i=1}^{n} \sum_{j=0.1}^{1} k L_o \left(\frac{M_i}{10} \right) e^{-k t_{ij}}$$

Where,

Q_{CH_4} = annual methane generation in the year of the calculation *(m^3/year)*
i = 1-year time increment
n = (year of the calculation) - (initial year of waste acceptance)
j = 0.1-year time increment
k = methane generation rate (*$year^{-1}$*)
L_o = potential methane generation capacity (*m^3/Mg*)

M_i = mass of waste accepted in the ith year (*Mg*)
t_{ij} = age of the jth section of waste mass M_i accepted in the ith year (*decimal years*, e.g., 3.2 years)

LandGEM is based on a first-order decomposition rate equation for quantifying emissions from the decomposition of landfilled waste in municipal solid waste (MSW) landfills. The software provides a relatively simple approach to estimating landfill gas emissions. Model defaults are based on empirical data from U.S. landfills. Field test data can also be used in place of model defaults when available. Further guidance on EPA test methods, Clean Air Act (CAA) regulations, and other guidance regarding landfill gas emissions and control technology requirements can be found at http://www.epa.gov/ttnatw01/landfill/landflpg.html.

LandGEM is considered a screening tool — the better the input data, the better the estimates. Often, there are limitations with the available data regarding waste quantity and composition, variation in design and operating practices over time, and changes occurring over time that impact the emissions potential. Changes to landfill operation, such as operating under wet conditions through leachate recirculation or other liquid additions, will result in generating more gas at a faster rate. Defaults for estimating emissions for this type of operation are being developed to include in LandGEM along with defaults for convential landfills (no leachate or liquid additions) for developing emission inventories and determining CAA applicability. Refer to the Web site identified above for future updates.

Input Review

LANDFILL CHARACTERISTICS

Landfill Open Year	**1982**	
Landfill Closure Year (with 80-year limit)	**2029**	
Actual Closure Year (without limit)	***2029***	
Have Model Calculate Closure Year?	**Yes**	
Waste Design Capacity	**24,051,980**	*megagrams*

MODEL PARAMETERS

Methane Generation Rate, k	**0.040**	*$year^{-1}$*
Potential Methane Generation Capacity, L_o	**100**	*m^3/Mg*
NMOC Concentration	**600**	*ppmv as hexane*
Methane Content	**50**	*% by volume*

GASES / POLLUTANTS SELECTED

Gas / Pollutant #1:	**Total landfill gas**
Gas / Pollutant #2:	**Methane**
Gas / Pollutant #3:	**Carbon dioxide**
Gas / Pollutant #4:	**NMOC**

WASTE ACCEPTANCE RATES

Year	Waste Accepted		Waste-In-Place	
	(Mg/year)	*(short tons/year)*	*(Mg)*	*(short tons)*
1982	8,145	8,960	0	0
1983	48,979	53,877	8,145	8,960
1984	48,979	53,877	57,124	62,836
1985	48,979	53,877	106,103	116,713
1986	48,979	53,877	155,082	170,590
1987	48,979	53,877	204,061	224,467
1988	48,979	53,877	253,040	278,344
1989	48,979	53,877	302,019	332,221
1990	48,979	53,877	350,998	386,098
1991	94,415	103,857	399,977	439,975
1992	170,992	188,091	494,392	543,831
1993	225,125	247,638	665,384	731,922
1994	368,398	405,238	890,509	979,560
1995	397,013	436,714	1,258,907	1,384,798
1996	550,372	605,409	1,655,920	1,821,512
1997	704,045	774,450	2,206,292	2,426,921
1998	599,989	659,988	2,910,337	3,201,371
1999	91,435	100,579	3,510,326	3,861,359
2000	0	0	3,601,761	3,961,937
2001	0	0	3,601,761	3,961,937
2002	129,716	142,688	3,601,761	3,961,937
2003	282,492	310,741	3,731,477	4,104,625
2004	600,593	660,652	4,013,969	4,415,366
2005	536,305	589,936	4,614,562	5,076,018
2006	527,605	580,366	5,150,867	5,665,954
2007	668,672	735,539	5,678,472	6,246,319
2008	623,558	685,914	6,347,144	6,981,858
2009	835,098	918,608	6,970,702	7,667,772
2010	818,182	900,000	7,805,800	8,586,380
2011	818,182	900,000	8,623,982	9,486,380
2012	818,182	900,000	9,442,164	10,386,380
2013	818,182	900,000	10,260,346	11,286,381
2014	818,182	900,000	11,078,528	12,186,381
2015	818,182	900,000	11,896,710	13,086,381
2016	818,182	900,000	12,714,892	13,986,381
2017	818,182	900,000	13,533,074	14,886,381
2018	818,182	900,000	14,351,256	15,786,382
2019	818,182	900,000	15,169,438	16,686,382
2020	818,182	900,000	15,987,620	17,586,382
2021	818,182	900,000	16,805,802	18,486,382

WASTE ACCEPTANCE RATES (Continued)

Year	Waste Accepted		Waste-In-Place	
	(Mg/year)	*(short tons/year)*	*(Mg)*	*(short tons)*
2022	818,182	900,000	17,623,984	19,386,382
2023	818,182	900,000	18,442,166	20,286,383
2024	818,182	900,000	19,260,348	21,186,383
2025	818,182	900,000	20,078,530	22,086,383
2026	818,182	900,000	20,896,712	22,986,383
2027	818,182	900,000	21,714,894	23,886,383
2028	818,182	900,000	22,533,076	24,786,384
2029	700,722	770,794	23,351,258	25,686,384
2030	0	0	24,051,980	26,457,178
2031	0	0	24,051,980	26,457,178
2032	0	0	24,051,980	26,457,178
2033	0	0	24,051,980	26,457,178
2034	0	0	24,051,980	26,457,178
2035	0	0	24,051,980	26,457,178
2036	0	0	24,051,980	26,457,178
2037	0	0	24,051,980	26,457,178
2038	0	0	24,051,980	26,457,178
2039	0	0	24,051,980	26,457,178
2040	0	0	24,051,980	26,457,178
2041	0	0	24,051,980	26,457,178
2042	0	0	24,051,980	26,457,178
2043	0	0	24,051,980	26,457,178
2044	0	0	24,051,980	26,457,178
2045	0	0	24,051,980	26,457,178
2046	0	0	24,051,980	26,457,178
2047	0	0	24,051,980	26,457,178
2048	0	0	24,051,980	26,457,178
2049	0	0	24,051,980	26,457,178
2050	0	0	24,051,980	26,457,178
2051	0	0	24,051,980	26,457,178
2052	0	0	24,051,980	26,457,178
2053	0	0	24,051,980	26,457,178
2054	0	0	24,051,980	26,457,178
2055	0	0	24,051,980	26,457,178
2056	0	0	24,051,980	26,457,178
2057	0	0	24,051,980	26,457,178
2058	0	0	24,051,980	26,457,178
2059	0	0	24,051,980	26,457,178
2060	0	0	24,051,980	26,457,178
2061	0	0	24,051,980	26,457,178

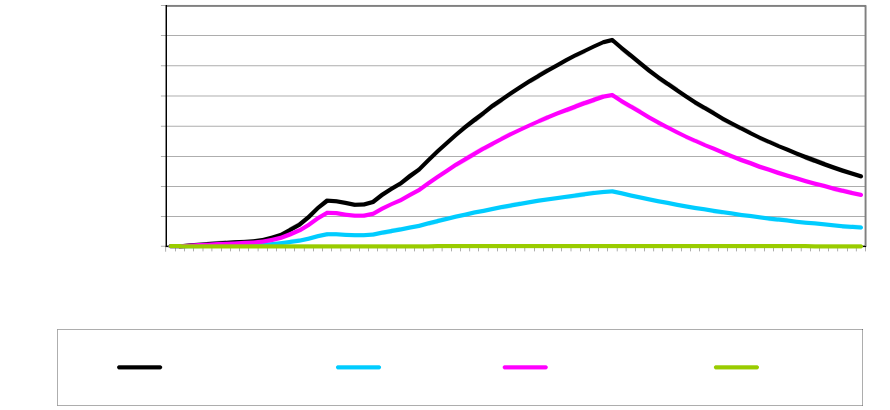
Pollutant Parameters

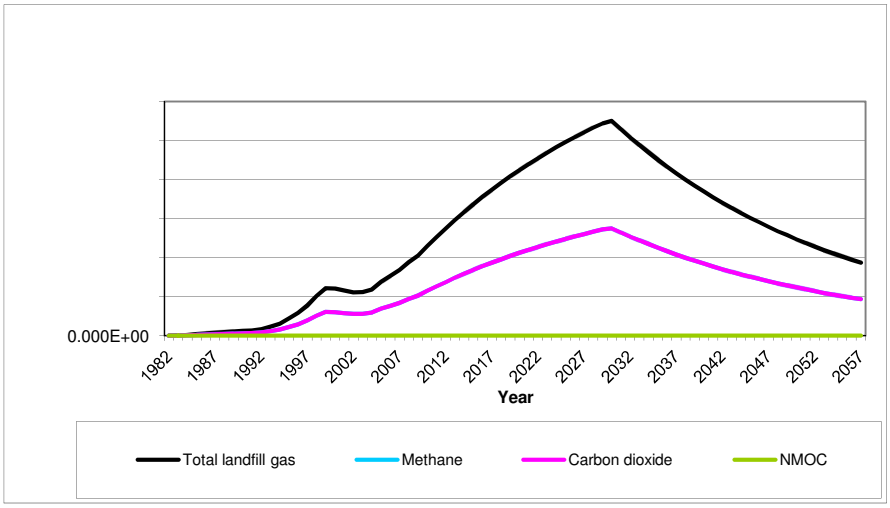
		Gas / Pollutant Default Parameters:		User-specified Pollutant Parameters:	
	Compound	Concentration (*ppmv*)	Molecular Weight	Concentration (*ppmv*)	Molecular Weight
Gases	Total landfill gas		0.00		
	Methane		16.04		
	Carbon dioxide		44.01		
	NMOC	4,000	86.18		
Pollutants	1,1,1-Trichloroethane (methyl chloroform) - HAP	0.48	133.41		
	1,1,2,2-Tetrachloroethane - HAP/VOC	1.1	167.85		
	1,1-Dichloroethane (ethylidene dichloride) - HAP/VOC	2.4	98.97		
	1,1-Dichloroethene (vinylidene chloride) - HAP/VOC	0.20	96.94		
	1,2-Dichloroethane (ethylene dichloride) - HAP/VOC	0.41	98.96		
	1,2-Dichloropropane (propylene dichloride) - HAP/VOC	0.18	112.99		
	2-Propanol (isopropyl alcohol) - VOC	50	60.11		
	Acetone	7.0	58.08		
	Acrylonitrile - HAP/VOC	6.3	53.06		
	Benzene - No or Unknown Co-disposal - HAP/VOC	1.9	78.11		
	Benzene - Co-disposal - HAP/VOC	11	78.11		
	Bromodichloromethane - VOC	3.1	163.83		
	Butane - VOC	5.0	58.12		
	Carbon disulfide - HAP/VOC	0.58	76.13		
	Carbon monoxide	140	28.01		
	Carbon tetrachloride - HAP/VOC	4.0E-03	153.84		
	Carbonyl sulfide - HAP/VOC	0.49	60.07		
	Chlorobenzene - HAP/VOC	0.25	112.56		
	Chlorodifluoromethane	1.3	86.47		
	Chloroethane (ethyl chloride) - HAP/VOC	1.3	64.52		
	Chloroform - HAP/VOC	0.03	119.39		
	Chloromethane - VOC	1.2	50.49		
	Dichlorobenzene - (HAP for para isomer/VOC)	0.21	147		
	Dichlorodifluoromethane	16	120.91		
	Dichlorofluoromethane - VOC	2.6	102.92		
	Dichloromethane (methylene chloride) - HAP	14	84.94		
	Dimethyl sulfide (methyl sulfide) - VOC	7.8	62.13		
	Ethane	890	30.07		
	Ethanol - VOC	27	46.08		

Pollutant Parameters (Continued)

	Gas / Pollutant Default Parameters:			User-specified Pollutant Parameters:	
	Compound	Concentration (*ppmv*)	Molecular Weight	Concentration (*ppmv*)	Molecular Weight
Pollutants	Ethyl mercaptan (ethanethiol) - VOC	2.3	62.13		
	Ethylbenzene - HAP/VOC	4.6	106.16		
	Ethylene dibromide - HAP/VOC	1.0E-03	187.88		
	Fluorotrichloromethane - VOC	0.76	137.38		
	Hexane - HAP/VOC	6.6	86.18		
	Hydrogen sulfide	36	34.08		
	Mercury (total) - HAP	2.9E-04	200.61		
	Methyl ethyl ketone - HAP/VOC	7.1	72.11		
	Methyl isobutyl ketone - HAP/VOC	1.9	100.16		
	Methyl mercaptan - VOC	2.5	48.11		
	Pentane - VOC	3.3	72.15		
	Perchloroethylene (tetrachloroethylene) - HAP	3.7	165.83		
	Propane - VOC	11	44.09		
	t-1,2-Dichloroethene - VOC	2.8	96.94		
	Toluene - No or Unknown Co-disposal - HAP/VOC	39	92.13		
	Toluene - Co-disposal - HAP/VOC	170	92.13		
	Trichloroethylene (trichloroethene) - HAP/VOC	2.8	131.40		
	Vinyl chloride - HAP/VOC	7.3	62.50		
	Xylenes - HAP/VOC	12	106.16		

Graphs

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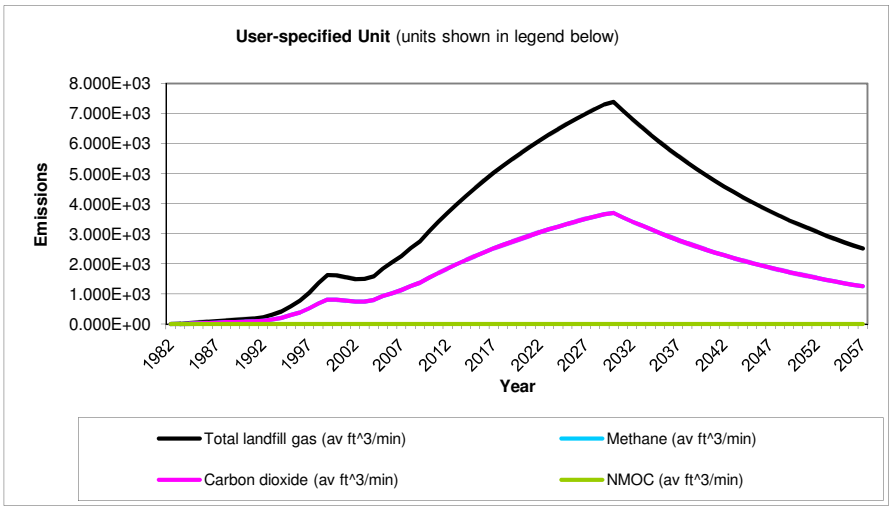
1982
1987
1992
1997
2002
2007
2012
2017
2022
2027
2032
2037
2042
2047
2052
2057
Year
Total landfill gas
Methane
Carbon dioxide
NMOC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6.000E+03
5.000E+03
4.000E+03
3.000E+03
2.000E+03
1.000E+03
0.000E+00
Emissions
1982
1987
1992
1997
2002
2007
2012
2017
2022
2027
2032
2037
2042
2047
2052
2057
Year
Total landfill gas (av ft^3/min)
Methane (av ft^3/min)
Carbon dioxide (av ft^3/min)
NMOC (av ft^3/min)

Results

Year	Total landfill gas			Methane		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
1982	0	0	0	0	0	0
1983	7.993E+01	6.400E+04	4.300E+00	2.135E+01	3.200E+04	2.150E+00
1984	5.574E+02	4.464E+05	2.999E+01	1.489E+02	2.232E+05	1.500E+01
1985	1.016E+03	8.137E+05	5.467E+01	2.714E+02	4.069E+05	2.734E+01
1986	1.457E+03	1.167E+06	7.839E+01	3.892E+02	5.833E+05	3.919E+01
1987	1.880E+03	1.506E+06	1.012E+02	5.023E+02	7.529E+05	5.059E+01
1988	2.287E+03	1.832E+06	1.231E+02	6.110E+02	9.158E+05	6.153E+01
1989	2.678E+03	2.145E+06	1.441E+02	7.154E+02	1.072E+06	7.205E+01
1990	3.054E+03	2.445E+06	1.643E+02	8.157E+02	1.223E+06	8.215E+01
1991	3.415E+03	2.734E+06	1.837E+02	9.121E+02	1.367E+06	9.186E+01
1992	4.207E+03	3.369E+06	2.264E+02	1.124E+03	1.685E+06	1.132E+02
1993	5.720E+03	4.581E+06	3.078E+02	1.528E+03	2.290E+06	1.539E+02
1994	7.705E+03	6.170E+06	4.146E+02	2.058E+03	3.085E+06	2.073E+02
1995	1.102E+04	8.823E+06	5.928E+02	2.943E+03	4.411E+06	2.964E+02
1996	1.448E+04	1.160E+07	7.792E+02	3.868E+03	5.798E+06	3.896E+02
1997	1.932E+04	1.547E+07	1.039E+03	5.159E+03	7.733E+06	5.196E+02
1998	2.547E+04	2.039E+07	1.370E+03	6.802E+03	1.020E+07	6.851E+02
1999	3.036E+04	2.431E+07	1.633E+03	8.108E+03	1.215E+07	8.166E+02
2000	3.006E+04	2.407E+07	1.617E+03	8.030E+03	1.204E+07	8.087E+02
2001	2.888E+04	2.313E+07	1.554E+03	7.715E+03	1.156E+07	7.770E+02
2002	2.775E+04	2.222E+07	1.493E+03	7.413E+03	1.111E+07	7.465E+02
2003	2.794E+04	2.237E+07	1.503E+03	7.462E+03	1.118E+07	7.515E+02
2004	2.961E+04	2.371E+07	1.593E+03	7.910E+03	1.186E+07	7.966E+02
2005	3.435E+04	2.750E+07	1.848E+03	9.174E+03	1.375E+07	9.239E+02
2006	3.826E+04	3.064E+07	2.059E+03	1.022E+04	1.532E+07	1.029E+03
2007	4.194E+04	3.358E+07	2.256E+03	1.120E+04	1.679E+07	1.128E+03
2008	4.686E+04	3.752E+07	2.521E+03	1.252E+04	1.876E+07	1.260E+03
2009	5.114E+04	4.095E+07	2.751E+03	1.366E+04	2.047E+07	1.376E+03
2010	5.733E+04	4.590E+07	3.084E+03	1.531E+04	2.295E+07	1.542E+03
2011	6.311E+04	5.053E+07	3.395E+03	1.686E+04	2.527E+07	1.698E+03
2012	6.866E+04	5.498E+07	3.694E+03	1.834E+04	2.749E+07	1.847E+03
2013	7.400E+04	5.926E+07	3.981E+03	1.977E+04	2.963E+07	1.991E+03
2014	7.913E+04	6.336E+07	4.257E+03	2.114E+04	3.168E+07	2.129E+03
2015	8.405E+04	6.731E+07	4.522E+03	2.245E+04	3.365E+07	2.261E+03
2016	8.879E+04	7.110E+07	4.777E+03	2.372E+04	3.555E+07	2.388E+03
2017	9.333E+04	7.474E+07	5.022E+03	2.493E+04	3.737E+07	2.511E+03
2018	9.770E+04	7.824E+07	5.257E+03	2.610E+04	3.912E+07	2.628E+03
2019	1.019E+05	8.160E+07	5.482E+03	2.722E+04	4.080E+07	2.741E+03
2020	1.059E+05	8.483E+07	5.699E+03	2.830E+04	4.241E+07	2.850E+03
2021	1.098E+05	8.793E+07	5.908E+03	2.933E+04	4.396E+07	2.954E+03
2022	1.135E+05	9.091E+07	6.108E+03	3.033E+04	4.546E+07	3.054E+03
2023	1.171E+05	9.378E+07	6.301E+03	3.128E+04	4.689E+07	3.150E+03
2024	1.205E+05	9.653E+07	6.486E+03	3.220E+04	4.826E+07	3.243E+03
2025	1.238E+05	9.917E+07	6.663E+03	3.308E+04	4.959E+07	3.332E+03
2026	1.270E+05	1.017E+08	6.834E+03	3.393E+04	5.086E+07	3.417E+03
2027	1.301E+05	1.042E+08	6.998E+03	3.474E+04	5.208E+07	3.499E+03
2028	1.330E+05	1.065E+08	7.156E+03	3.553E+04	5.325E+07	3.578E+03
2029	1.358E+05	1.088E+08	7.307E+03	3.628E+04	5.438E+07	3.654E+03
2030	1.374E+05	1.100E+08	7.390E+03	3.669E+04	5.500E+07	3.695E+03
2031	1.320E+05	1.057E+08	7.101E+03	3.525E+04	5.284E+07	3.550E+03

Results (Continued)

Year	Total landfill gas			Methane		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
2032	1.268E+05	1.015E+08	6.822E+03	3.387E+04	5.077E+07	3.411E+03
2033	1.218E+05	9.756E+07	6.555E+03	3.254E+04	4.878E+07	3.277E+03
2034	1.171E+05	9.373E+07	6.298E+03	3.127E+04	4.687E+07	3.149E+03
2035	1.125E+05	9.006E+07	6.051E+03	3.004E+04	4.503E+07	3.025E+03
2036	1.081E+05	8.652E+07	5.814E+03	2.886E+04	4.326E+07	2.907E+03
2037	1.038E+05	8.313E+07	5.586E+03	2.773E+04	4.157E+07	2.793E+03
2038	9.975E+04	7.987E+07	5.367E+03	2.664E+04	3.994E+07	2.683E+03
2039	9.583E+04	7.674E+07	5.156E+03	2.560E+04	3.837E+07	2.578E+03
2040	9.208E+04	7.373E+07	4.954E+03	2.459E+04	3.687E+07	2.477E+03
2041	8.847E+04	7.084E+07	4.760E+03	2.363E+04	3.542E+07	2.380E+03
2042	8.500E+04	6.806E+07	4.573E+03	2.270E+04	3.403E+07	2.287E+03
2043	8.166E+04	6.539E+07	4.394E+03	2.181E+04	3.270E+07	2.197E+03
2044	7.846E+04	6.283E+07	4.221E+03	2.096E+04	3.141E+07	2.111E+03
2045	7.539E+04	6.037E+07	4.056E+03	2.014E+04	3.018E+07	2.028E+03
2046	7.243E+04	5.800E+07	3.897E+03	1.935E+04	2.900E+07	1.948E+03
2047	6.959E+04	5.572E+07	3.744E+03	1.859E+04	2.786E+07	1.872E+03
2048	6.686E+04	5.354E+07	3.597E+03	1.786E+04	2.677E+07	1.799E+03
2049	6.424E+04	5.144E+07	3.456E+03	1.716E+04	2.572E+07	1.728E+03
2050	6.172E+04	4.942E+07	3.321E+03	1.649E+04	2.471E+07	1.660E+03
2051	5.930E+04	4.749E+07	3.191E+03	1.584E+04	2.374E+07	1.595E+03
2052	5.698E+04	4.562E+07	3.065E+03	1.522E+04	2.281E+07	1.533E+03
2053	5.474E+04	4.383E+07	2.945E+03	1.462E+04	2.192E+07	1.473E+03
2054	5.260E+04	4.212E+07	2.830E+03	1.405E+04	2.106E+07	1.415E+03
2055	5.053E+04	4.046E+07	2.719E+03	1.350E+04	2.023E+07	1.359E+03
2056	4.855E+04	3.888E+07	2.612E+03	1.297E+04	1.944E+07	1.306E+03
2057	4.665E+04	3.735E+07	2.510E+03	1.246E+04	1.868E+07	1.255E+03
2058	4.482E+04	3.589E+07	2.411E+03	1.197E+04	1.794E+07	1.206E+03
2059	4.306E+04	3.448E+07	2.317E+03	1.150E+04	1.724E+07	1.158E+03
2060	4.137E+04	3.313E+07	2.226E+03	1.105E+04	1.656E+07	1.113E+03
2061	3.975E+04	3.183E+07	2.139E+03	1.062E+04	1.592E+07	1.069E+03
2062	3.819E+04	3.058E+07	2.055E+03	1.020E+04	1.529E+07	1.027E+03
2063	3.669E+04	2.938E+07	1.974E+03	9.801E+03	1.469E+07	9.871E+02
2064	3.526E+04	2.823E+07	1.897E+03	9.417E+03	1.412E+07	9.484E+02
2065	3.387E+04	2.712E+07	1.822E+03	9.048E+03	1.356E+07	9.112E+02
2066	3.255E+04	2.606E+07	1.751E+03	8.693E+03	1.303E+07	8.755E+02
2067	3.127E+04	2.504E+07	1.682E+03	8.352E+03	1.252E+07	8.412E+02
2068	3.004E+04	2.406E+07	1.616E+03	8.025E+03	1.203E+07	8.082E+02
2069	2.886E+04	2.311E+07	1.553E+03	7.710E+03	1.156E+07	7.765E+02
2070	2.773E+04	2.221E+07	1.492E+03	7.408E+03	1.110E+07	7.461E+02
2071	2.665E+04	2.134E+07	1.434E+03	7.117E+03	1.067E+07	7.168E+02
2072	2.560E+04	2.050E+07	1.377E+03	6.838E+03	1.025E+07	6.887E+02
2073	2.460E+04	1.970E+07	1.323E+03	6.570E+03	9.848E+06	6.617E+02
2074	2.363E+04	1.892E+07	1.271E+03	6.313E+03	9.462E+06	6.357E+02
2075	2.271E+04	1.818E+07	1.222E+03	6.065E+03	9.091E+06	6.108E+02
2076	2.182E+04	1.747E+07	1.174E+03	5.827E+03	8.734E+06	5.869E+02
2077	2.096E+04	1.678E+07	1.128E+03	5.599E+03	8.392E+06	5.639E+02
2078	2.014E+04	1.613E+07	1.083E+03	5.379E+03	8.063E+06	5.417E+02
2079	1.935E+04	1.549E+07	1.041E+03	5.168E+03	7.747E+06	5.205E+02
2080	1.859E+04	1.489E+07	1.000E+03	4.966E+03	7.443E+06	5.001E+02
2081	1.786E+04	1.430E+07	9.610E+02	4.771E+03	7.151E+06	4.805E+02
2082	1.716E+04	1.374E+07	9.233E+02	4.584E+03	6.871E+06	4.616E+02

Results (Continued)

Year	Total landfill gas			Methane		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
2083	1.649E+04	1.320E+07	8.871E+02	4.404E+03	6.601E+06	4.435E+02
2084	1.584E+04	1.269E+07	8.523E+02	4.231E+03	6.343E+06	4.262E+02
2085	1.522E+04	1.219E+07	8.189E+02	4.065E+03	6.094E+06	4.094E+02
2086	1.462E+04	1.171E+07	7.868E+02	3.906E+03	5.855E+06	3.934E+02
2087	1.405E+04	1.125E+07	7.559E+02	3.753E+03	5.625E+06	3.780E+02
2088	1.350E+04	1.081E+07	7.263E+02	3.606E+03	5.405E+06	3.631E+02
2089	1.297E+04	1.039E+07	6.978E+02	3.464E+03	5.193E+06	3.489E+02
2090	1.246E+04	9.978E+06	6.704E+02	3.329E+03	4.989E+06	3.352E+02
2091	1.197E+04	9.587E+06	6.442E+02	3.198E+03	4.794E+06	3.221E+02
2092	1.150E+04	9.211E+06	6.189E+02	3.073E+03	4.606E+06	3.095E+02
2093	1.105E+04	8.850E+06	5.946E+02	2.952E+03	4.425E+06	2.973E+02
2094	1.062E+04	8.503E+06	5.713E+02	2.836E+03	4.252E+06	2.857E+02
2095	1.020E+04	8.170E+06	5.489E+02	2.725E+03	4.085E+06	2.745E+02
2096	9.802E+03	7.849E+06	5.274E+02	2.618E+03	3.925E+06	2.637E+02
2097	9.418E+03	7.542E+06	5.067E+02	2.516E+03	3.771E+06	2.534E+02
2098	9.049E+03	7.246E+06	4.868E+02	2.417E+03	3.623E+06	2.434E+02
2099	8.694E+03	6.962E+06	4.678E+02	2.322E+03	3.481E+06	2.339E+02
2100	8.353E+03	6.689E+06	4.494E+02	2.231E+03	3.344E+06	2.247E+02
2101	8.026E+03	6.426E+06	4.318E+02	2.144E+03	3.213E+06	2.159E+02
2102	7.711E+03	6.174E+06	4.149E+02	2.060E+03	3.087E+06	2.074E+02
2103	7.408E+03	5.932E+06	3.986E+02	1.979E+03	2.966E+06	1.993E+02
2104	7.118E+03	5.700E+06	3.830E+02	1.901E+03	2.850E+06	1.915E+02
2105	6.839E+03	5.476E+06	3.679E+02	1.827E+03	2.738E+06	1.840E+02
2106	6.571E+03	5.262E+06	3.535E+02	1.755E+03	2.631E+06	1.768E+02
2107	6.313E+03	5.055E+06	3.397E+02	1.686E+03	2.528E+06	1.698E+02
2108	6.066E+03	4.857E+06	3.263E+02	1.620E+03	2.429E+06	1.632E+02
2109	5.828E+03	4.667E+06	3.135E+02	1.557E+03	2.333E+06	1.568E+02
2110	5.599E+03	4.484E+06	3.013E+02	1.496E+03	2.242E+06	1.506E+02
2111	5.380E+03	4.308E+06	2.894E+02	1.437E+03	2.154E+06	1.447E+02
2112	5.169E+03	4.139E+06	2.781E+02	1.381E+03	2.069E+06	1.390E+02
2113	4.966E+03	3.977E+06	2.672E+02	1.326E+03	1.988E+06	1.336E+02
2114	4.771E+03	3.821E+06	2.567E+02	1.274E+03	1.910E+06	1.284E+02
2115	4.584E+03	3.671E+06	2.466E+02	1.224E+03	1.835E+06	1.233E+02
2116	4.404E+03	3.527E+06	2.370E+02	1.176E+03	1.763E+06	1.185E+02
2117	4.232E+03	3.389E+06	2.277E+02	1.130E+03	1.694E+06	1.138E+02
2118	4.066E+03	3.256E+06	2.188E+02	1.086E+03	1.628E+06	1.094E+02
2119	3.906E+03	3.128E+06	2.102E+02	1.043E+03	1.564E+06	1.051E+02
2120	3.753E+03	3.005E+06	2.019E+02	1.003E+03	1.503E+06	1.010E+02
2121	3.606E+03	2.888E+06	1.940E+02	9.632E+02	1.444E+06	9.701E+01
2122	3.465E+03	2.774E+06	1.864E+02	9.255E+02	1.387E+06	9.320E+01

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
1982	0	0	0	0	0	0
1983	5.858E+01	3.200E+04	2.150E+00	1.376E-01	3.840E+01	2.580E-03
1984	4.085E+02	2.232E+05	1.500E+01	9.600E-01	2.678E+02	1.799E-02
1985	7.448E+02	4.069E+05	2.734E+01	1.750E+00	4.882E+02	3.280E-02
1986	1.068E+03	5.833E+05	3.919E+01	2.509E+00	7.000E+02	4.703E-02
1987	1.378E+03	7.529E+05	5.059E+01	3.239E+00	9.035E+02	6.071E-02
1988	1.676E+03	9.158E+05	6.153E+01	3.939E+00	1.099E+03	7.384E-02
1989	1.963E+03	1.072E+06	7.205E+01	4.613E+00	1.287E+03	8.646E-02
1990	2.238E+03	1.223E+06	8.215E+01	5.259E+00	1.467E+03	9.859E-02
1991	2.503E+03	1.367E+06	9.186E+01	5.881E+00	1.641E+03	1.102E-01
1992	3.084E+03	1.685E+06	1.132E+02	7.246E+00	2.021E+03	1.358E-01
1993	4.192E+03	2.290E+06	1.539E+02	9.851E+00	2.748E+03	1.847E-01
1994	5.647E+03	3.085E+06	2.073E+02	1.327E+01	3.702E+03	2.487E-01
1995	8.075E+03	4.411E+06	2.964E+02	1.898E+01	5.294E+03	3.557E-01
1996	1.061E+04	5.798E+06	3.896E+02	2.494E+01	6.958E+03	4.675E-01
1997	1.416E+04	7.733E+06	5.196E+02	3.326E+01	9.280E+03	6.235E-01
1998	1.866E+04	1.020E+07	6.851E+02	4.386E+01	1.224E+04	8.221E-01
1999	2.225E+04	1.215E+07	8.166E+02	5.228E+01	1.458E+04	9.799E-01
2000	2.203E+04	1.204E+07	8.087E+02	5.177E+01	1.444E+04	9.705E-01
2001	2.117E+04	1.156E+07	7.770E+02	4.974E+01	1.388E+04	9.324E-01
2002	2.034E+04	1.111E+07	7.465E+02	4.779E+01	1.333E+04	8.959E-01
2003	2.047E+04	1.118E+07	7.515E+02	4.811E+01	1.342E+04	9.018E-01
2004	2.170E+04	1.186E+07	7.966E+02	5.100E+01	1.423E+04	9.559E-01
2005	2.517E+04	1.375E+07	9.239E+02	5.915E+01	1.650E+04	1.109E+00
2006	2.804E+04	1.532E+07	1.029E+03	6.589E+01	1.838E+04	1.235E+00
2007	3.074E+04	1.679E+07	1.128E+03	7.222E+01	2.015E+04	1.354E+00
2008	3.434E+04	1.876E+07	1.260E+03	8.069E+01	2.251E+04	1.513E+00
2009	3.748E+04	2.047E+07	1.376E+03	8.807E+01	2.457E+04	1.651E+00
2010	4.201E+04	2.295E+07	1.542E+03	9.873E+01	2.754E+04	1.851E+00
2011	4.625E+04	2.527E+07	1.698E+03	1.087E+02	3.032E+04	2.037E+00
2012	5.032E+04	2.749E+07	1.847E+03	1.182E+02	3.299E+04	2.217E+00
2013	5.423E+04	2.963E+07	1.991E+03	1.274E+02	3.555E+04	2.389E+00
2014	5.799E+04	3.168E+07	2.129E+03	1.363E+02	3.802E+04	2.554E+00
2015	6.160E+04	3.365E+07	2.261E+03	1.448E+02	4.038E+04	2.713E+00
2016	6.507E+04	3.555E+07	2.388E+03	1.529E+02	4.266E+04	2.866E+00
2017	6.840E+04	3.737E+07	2.511E+03	1.607E+02	4.484E+04	3.013E+00
2018	7.160E+04	3.912E+07	2.628E+03	1.683E+02	4.694E+04	3.154E+00
2019	7.468E+04	4.080E+07	2.741E+03	1.755E+02	4.896E+04	3.289E+00
2020	7.764E+04	4.241E+07	2.850E+03	1.824E+02	5.090E+04	3.420E+00
2021	8.048E+04	4.396E+07	2.954E+03	1.891E+02	5.276E+04	3.545E+00
2022	8.321E+04	4.546E+07	3.054E+03	1.955E+02	5.455E+04	3.665E+00
2023	8.583E+04	4.689E+07	3.150E+03	2.017E+02	5.627E+04	3.780E+00
2024	8.835E+04	4.826E+07	3.243E+03	2.076E+02	5.792E+04	3.891E+00
2025	9.077E+04	4.959E+07	3.332E+03	2.133E+02	5.950E+04	3.998E+00
2026	9.309E+04	5.086E+07	3.417E+03	2.188E+02	6.103E+04	4.100E+00
2027	9.533E+04	5.208E+07	3.499E+03	2.240E+02	6.249E+04	4.199E+00
2028	9.747E+04	5.325E+07	3.578E+03	2.290E+02	6.390E+04	4.293E+00
2029	9.953E+04	5.438E+07	3.654E+03	2.339E+02	6.525E+04	4.384E+00
2030	1.007E+05	5.500E+07	3.695E+03	2.366E+02	6.600E+04	4.434E+00
2031	9.672E+04	5.284E+07	3.550E+03	2.273E+02	6.341E+04	4.260E+00

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
2032	9.293E+04	5.077E+07	3.411E+03	2.184E+02	6.092E+04	4.093E+00
2033	8.929E+04	4.878E+07	3.277E+03	2.098E+02	5.853E+04	3.933E+00
2034	8.579E+04	4.687E+07	3.149E+03	2.016E+02	5.624E+04	3.779E+00
2035	8.242E+04	4.503E+07	3.025E+03	1.937E+02	5.403E+04	3.630E+00
2036	7.919E+04	4.326E+07	2.907E+03	1.861E+02	5.191E+04	3.488E+00
2037	7.609E+04	4.157E+07	2.793E+03	1.788E+02	4.988E+04	3.351E+00
2038	7.310E+04	3.994E+07	2.683E+03	1.718E+02	4.792E+04	3.220E+00
2039	7.024E+04	3.837E+07	2.578E+03	1.650E+02	4.604E+04	3.094E+00
2040	6.748E+04	3.687E+07	2.477E+03	1.586E+02	4.424E+04	2.972E+00
2041	6.484E+04	3.542E+07	2.380E+03	1.524E+02	4.250E+04	2.856E+00
2042	6.229E+04	3.403E+07	2.287E+03	1.464E+02	4.084E+04	2.744E+00
2043	5.985E+04	3.270E+07	2.197E+03	1.406E+02	3.924E+04	2.636E+00
2044	5.750E+04	3.141E+07	2.111E+03	1.351E+02	3.770E+04	2.533E+00
2045	5.525E+04	3.018E+07	2.028E+03	1.298E+02	3.622E+04	2.434E+00
2046	5.308E+04	2.900E+07	1.948E+03	1.247E+02	3.480E+04	2.338E+00
2047	5.100E+04	2.786E+07	1.872E+03	1.198E+02	3.343E+04	2.246E+00
2048	4.900E+04	2.677E+07	1.799E+03	1.151E+02	3.212E+04	2.158E+00
2049	4.708E+04	2.572E+07	1.728E+03	1.106E+02	3.086E+04	2.074E+00
2050	4.523E+04	2.471E+07	1.660E+03	1.063E+02	2.965E+04	1.992E+00
2051	4.346E+04	2.374E+07	1.595E+03	1.021E+02	2.849E+04	1.914E+00
2052	4.176E+04	2.281E+07	1.533E+03	9.812E+01	2.737E+04	1.839E+00
2053	4.012E+04	2.192E+07	1.473E+03	9.427E+01	2.630E+04	1.767E+00
2054	3.855E+04	2.106E+07	1.415E+03	9.058E+01	2.527E+04	1.698E+00
2055	3.704E+04	2.023E+07	1.359E+03	8.703E+01	2.428E+04	1.631E+00
2056	3.558E+04	1.944E+07	1.306E+03	8.361E+01	2.333E+04	1.567E+00
2057	3.419E+04	1.868E+07	1.255E+03	8.034E+01	2.241E+04	1.506E+00
2058	3.285E+04	1.794E+07	1.206E+03	7.719E+01	2.153E+04	1.447E+00
2059	3.156E+04	1.724E+07	1.158E+03	7.416E+01	2.069E+04	1.390E+00
2060	3.032E+04	1.656E+07	1.113E+03	7.125E+01	1.988E+04	1.336E+00
2061	2.913E+04	1.592E+07	1.069E+03	6.846E+01	1.910E+04	1.283E+00
2062	2.799E+04	1.529E+07	1.027E+03	6.577E+01	1.835E+04	1.233E+00
2063	2.689E+04	1.469E+07	9.871E+02	6.319E+01	1.763E+04	1.185E+00
2064	2.584E+04	1.412E+07	9.484E+02	6.072E+01	1.694E+04	1.138E+00
2065	2.483E+04	1.356E+07	9.112E+02	5.834E+01	1.627E+04	1.093E+00
2066	2.385E+04	1.303E+07	8.755E+02	5.605E+01	1.564E+04	1.051E+00
2067	2.292E+04	1.252E+07	8.412E+02	5.385E+01	1.502E+04	1.009E+00
2068	2.202E+04	1.203E+07	8.082E+02	5.174E+01	1.443E+04	9.698E-01
2069	2.115E+04	1.156E+07	7.765E+02	4.971E+01	1.387E+04	9.318E-01
2070	2.033E+04	1.110E+07	7.461E+02	4.776E+01	1.332E+04	8.953E-01
2071	1.953E+04	1.067E+07	7.168E+02	4.589E+01	1.280E+04	8.602E-01
2072	1.876E+04	1.025E+07	6.887E+02	4.409E+01	1.230E+04	8.264E-01
2073	1.803E+04	9.848E+06	6.617E+02	4.236E+01	1.182E+04	7.940E-01
2074	1.732E+04	9.462E+06	6.357E+02	4.070E+01	1.135E+04	7.629E-01
2075	1.664E+04	9.091E+06	6.108E+02	3.910E+01	1.091E+04	7.330E-01
2076	1.599E+04	8.734E+06	5.869E+02	3.757E+01	1.048E+04	7.042E-01
2077	1.536E+04	8.392E+06	5.639E+02	3.610E+01	1.007E+04	6.766E-01
2078	1.476E+04	8.063E+06	5.417E+02	3.468E+01	9.675E+03	6.501E-01
2079	1.418E+04	7.747E+06	5.205E+02	3.332E+01	9.296E+03	6.246E-01
2080	1.362E+04	7.443E+06	5.001E+02	3.202E+01	8.932E+03	6.001E-01
2081	1.309E+04	7.151E+06	4.805E+02	3.076E+01	8.581E+03	5.766E-01
2082	1.258E+04	6.871E+06	4.616E+02	2.955E+01	8.245E+03	5.540E-01

Results (Continued)

Year	Carbon dioxide			NMOC		
	(Mg/year)	*(m^3/year)*	*(av ft^3/min)*	*(Mg/year)*	*(m^3/year)*	*(av ft^3/min)*
2083	1.208E+04	6.601E+06	4.435E+02	2.839E+01	7.922E+03	5.323E-01
2084	1.161E+04	6.343E+06	4.262E+02	2.728E+01	7.611E+03	5.114E-01
2085	1.115E+04	6.094E+06	4.094E+02	2.621E+01	7.313E+03	4.913E-01
2086	1.072E+04	5.855E+06	3.934E+02	2.518E+01	7.026E+03	4.721E-01
2087	1.030E+04	5.625E+06	3.780E+02	2.420E+01	6.750E+03	4.536E-01
2088	9.893E+03	5.405E+06	3.631E+02	2.325E+01	6.486E+03	4.358E-01
2089	9.505E+03	5.193E+06	3.489E+02	2.234E+01	6.231E+03	4.187E-01
2090	9.133E+03	4.989E+06	3.352E+02	2.146E+01	5.987E+03	4.023E-01
2091	8.775E+03	4.794E+06	3.221E+02	2.062E+01	5.752E+03	3.865E-01
2092	8.431E+03	4.606E+06	3.095E+02	1.981E+01	5.527E+03	3.713E-01
2093	8.100E+03	4.425E+06	2.973E+02	1.903E+01	5.310E+03	3.568E-01
2094	7.782E+03	4.252E+06	2.857E+02	1.829E+01	5.102E+03	3.428E-01
2095	7.477E+03	4.085E+06	2.745E+02	1.757E+01	4.902E+03	3.293E-01
2096	7.184E+03	3.925E+06	2.637E+02	1.688E+01	4.710E+03	3.164E-01
2097	6.902E+03	3.771E+06	2.534E+02	1.622E+01	4.525E+03	3.040E-01
2098	6.632E+03	3.623E+06	2.434E+02	1.558E+01	4.347E+03	2.921E-01
2099	6.372E+03	3.481E+06	2.339E+02	1.497E+01	4.177E+03	2.807E-01
2100	6.122E+03	3.344E+06	2.247E+02	1.439E+01	4.013E+03	2.696E-01
2101	5.882E+03	3.213E+06	2.159E+02	1.382E+01	3.856E+03	2.591E-01
2102	5.651E+03	3.087E+06	2.074E+02	1.328E+01	3.705E+03	2.489E-01
2103	5.430E+03	2.966E+06	1.993E+02	1.276E+01	3.559E+03	2.392E-01
2104	5.217E+03	2.850E+06	1.915E+02	1.226E+01	3.420E+03	2.298E-01
2105	5.012E+03	2.738E+06	1.840E+02	1.178E+01	3.286E+03	2.208E-01
2106	4.816E+03	2.631E+06	1.768E+02	1.132E+01	3.157E+03	2.121E-01
2107	4.627E+03	2.528E+06	1.698E+02	1.087E+01	3.033E+03	2.038E-01
2108	4.445E+03	2.429E+06	1.632E+02	1.045E+01	2.914E+03	1.958E-01
2109	4.271E+03	2.333E+06	1.568E+02	1.004E+01	2.800E+03	1.881E-01
2110	4.104E+03	2.242E+06	1.506E+02	9.643E+00	2.690E+03	1.808E-01
2111	3.943E+03	2.154E+06	1.447E+02	9.265E+00	2.585E+03	1.737E-01
2112	3.788E+03	2.069E+06	1.390E+02	8.901E+00	2.483E+03	1.669E-01
2113	3.640E+03	1.988E+06	1.336E+02	8.552E+00	2.386E+03	1.603E-01
2114	3.497E+03	1.910E+06	1.284E+02	8.217E+00	2.292E+03	1.540E-01
2115	3.360E+03	1.835E+06	1.233E+02	7.895E+00	2.203E+03	1.480E-01
2116	3.228E+03	1.763E+06	1.185E+02	7.585E+00	2.116E+03	1.422E-01
2117	3.101E+03	1.694E+06	1.138E+02	7.288E+00	2.033E+03	1.366E-01
2118	2.980E+03	1.628E+06	1.094E+02	7.002E+00	1.953E+03	1.313E-01
2119	2.863E+03	1.564E+06	1.051E+02	6.728E+00	1.877E+03	1.261E-01
2120	2.751E+03	1.503E+06	1.010E+02	6.464E+00	1.803E+03	1.212E-01
2121	2.643E+03	1.444E+06	9.701E+01	6.210E+00	1.733E+03	1.164E-01
2122	2.539E+03	1.387E+06	9.320E+01	5.967E+00	1.665E+03	1.118E-01

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: Matthew Rechtin
Liberty Landfill, Inc.
8635 E SR 16
Monticello, IN 47960

DATE: March 9, 2012

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

SUBJECT: Final Decision
Significant Source Modification
181-31031-00035

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:
Brad Eisenhart – Director Landfill Operations
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

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Toll Free (800) 451-6027
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March 9, 2012

TO: Monticello Union Township Public Library

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

Subject: **Important Information for Display Regarding a Final Determination**

Applicant Name: Liberty Landfill, Inc.
Permit Number: 181-31031-00035

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	GHOTOPP 3/9/2012 Liberty Ldfll, Inc-Wst Mgmt Srvc Ctr 181-31031-00035 Final			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: **CERTIFICATE OF MAILING ONLY**	

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2		Brad Eisenhart Dir - Landfill Ops Liberty Ldfll, Inc-Wst Mgmt Srvc Ctr 8635 E SR 16 Monticello IN 47960 *(RO CAATS)*									
3		Mr. Harry D. DuVall P.O. Box 147 Idaville IN 47950 *(Affected Party)*									
4		Monticello City Council and Mayors Office 227 N. Main Street Monticello IN 47960 *(Local Official)*									
5		White County Commissioners P.O. Box 260 Monticello IN 47960-0260 *(Local Official)*									
6		Monticello Union Township Public Library 321 Broadway St Monticello IN 47690 *(Library)*									
7		Ms. Magie Read P.O. Box 248 Battle Ground IN 47920 *(Affected Party)*									
8		Mr. Robert Kelley 2555 S 30th Street Lafayette IN 44909 *(Affected Party)*									
9		White County Health Department 315 N Illinois St Monticello IN 47960 *(Health Department)*									
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