INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.
100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

To:	Interested Parties
Date:	September 6, 2024
From:	Jenny Acker, Chief Permits Branch Office of Air Quality
Source Name:	Hatchworks LLC
Permit Level:	Title V New Source Construction (Minor PSD/EO)
Permit Number:	003-47378-00530
Source Location:	7510 Zodiac Way Fort Wayne, Indiana 46816
Type of Action Taken:	Initial Permit

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 matter referenced above.

The final decision is available on the IDEM website at: http://www.in.gov/apps/idem/caats/
To view the document, choose Search Option **by Permit Number**, then enter permit 47378. This search will also provide the application received date, **draft permit** public notice start and end date, **proposed permit** EPA review period start and end date, and **fina**l permit issuance date.

The final decision is also available via IDEM's Virtual File Cabinet (VFC). Please go to: https://www.in.gov/idem and enter VFC in the search box. You will then have the option to search for permit documents using a variety of criteria.

If you would like to request a paper copy of the permit document, please contact IDEM's Office of Records Management:

IDEM - Office of Records Management
Indiana Government Center North, Room 1207
100 North Senate Avenue
Indianapolis, IN 46204
Phone: (317) 232-8667
Fax: (317) 233-6647
Email: IDEMFILEROOM@idem.in.gov

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 4-21.5-3-7 and IC 13-15-6-1(b) or IC 13-15-6-1(a) 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 Indiana Office of Administrative Law Proceedings, 100 N. Senate Avenue Suite N802, Indianapolis, IN 46204.

For an **initial Title V Operating Permit**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **thirty (30)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(b).

For a **Title V Operating Permit renewal**, a petition for administrative review must be submitted to the Office of Environmental Adjudication within **fifteen (15)** days from the receipt of this notice provided under IC 13-15-5-3, pursuant to IC 13-15-6-1(a).

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 Indiana Office of Administrative Law Proceedings (OALP); or
(2) the date of the postmark on the envelope containing the document, if the document is mailed to OALP 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 OALP 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.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of an initial Title V operating permit, permit renewal, or permit modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impractible to raise such issues, or if the grounds for such objection arose after the comment period.

The EPA requests that you file title V petitions electronically through the Central Data Exchange. To do so, please go to: https://cdx.epa.gov/ .

If you tried but you are unable to use the Central Data Exchange to file your petition, the EPA requests that you send your petition and associated attachments via email to: titleVpetitions@epa.gov.

If you have made every effort to electronically submit your petition but are simply unable to successfully do so, please submit a hardcopy of your petition to the following address:

US EPA
Office of Air Quality Planning and Standards
Air Quality Policy Division
Operating Permits Group Leader
109 T.W. Alexander Dr. (C-504-01)
Research Triangle Park, NC 27711

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
Decision-Title V Operating 7/1/24

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New Source Construction and Part 70 Operating Permit
OFFICE OF AIR QUALITY

Hatchworks LLC
7510 Zodiac Way
Fort Wayne, Indiana 46816

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

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

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 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.

Operation Permit No.: T003-47378-00530 Master Agency Interest ID: 133680	
Issued by: Iryn Calilung, Section Chief Permits Branch Office of Air Quality	Issuance Date: September 6, 2024 Expiration Date: September 6, 2029

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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.4 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 data center.

Source Address:	7510 Zodiac Way, Fort Wayne, Indiana 46816
General Source Phone Number:	(650) 495-3224
SIC Code:	7374 (Computer Processing and Data Preparation and Processing Services)
County Location:	Allen
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Operating Permit Program Minor Source, under PSD and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)][326 IAC 2-7-5(14)]

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

(a) Thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, approved in 2024 for construction, each with a maximum heat input capacity of 26.4 MMBTU per hour, using no control, and exhausting to stacks SV 1 through SV 34.

[Under NSPS 40 CFR 60, Subpart IIII, these emergency generators are affected sources.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, these emergency generators are affected sources.]

A.3 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, as defined in 326 IAC 2-7-1(21):

(a) One (1) diesel-fired emergency guard house generator, identified as DEGH1, approved in 2024 for construction, with a maximum heat input capacity of 4.5 MMBTU per hour, using no control, and exhausting to stack SV 35.

[Under NSPS 40 CFR 60, Subpart IIII, this emergency generator is an affected source.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, this emergency generator is an affected source.]

(b) One (1) diesel-fired emergency fire pump, identified as DEP1, approved in 2024 for construction, with a maximum heat input capacity of 3.9 MMBTU per hour, using no control, and exhausting to stack SV 36.

[Under NSPS 40 CFR 60, Subpart IIII, this emergency fire pump is an affected source.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, this emergency fire pump is an affected source.]

(c) Thirty-six (36) diesel storage tanks, identified as DST1 through DST36, approved in 2024 for construction, each with a maximum capacity of 6,000 gallons, and no controls.

(d) Fifteen (15) cooling towers, identified as CT1 through CT15, approved in 2024 for construction, each with a maximum recirculation rate of 6,000 gallons per minute, using no control, and exhausting outdoors.

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

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

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

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

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

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

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

B.4 Permit Term [326 IAC 2-7-5(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, T003-47378-00530, 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 or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

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

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

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

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

B.6 Enforceability [326 IAC 2-7-7] [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.7 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.8 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.9 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.10 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(35), 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(35).

B.11 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. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than July 1 of each year to:

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

and

United States Environmental Protection Agency, Region 5
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(35).

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

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

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

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

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

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

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

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

The Permittee shall implement the PMPs.

(b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions. 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(35).

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

B.13 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(35).

(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.14 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.15 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 T003-47378-00530 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 combined permit, all previous registrations and permits are superseded by this combined new source review and part 70 operating permit, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control)

B.16 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.17 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(35).

(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.18 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(42). 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(35).

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.19 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12] [40 CFR 72]

(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) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 operating permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]

(c) 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(35).

(d) 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.20 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.21 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 5
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)(1) and (c)(1). 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(37)) 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(35).

(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.

(f) This condition does not apply to emission trades of SO_2 or NO_X under 326 IAC 21.

B.22 Source Modification Requirement [326 IAC 2-7-10.5]

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

B.23 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.24 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(35).

(d) 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.25 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 317-233-8590 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.26 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 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.2 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.3 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.4 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.5 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(c).

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

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(35).

(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.6 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(35).

(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(35).

(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.7 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.8 Compliance Monitoring [326 IAC 2-7-5(3)][326 IAC 2-7-6(1)]

(a) For new units:
Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units shall be implemented on and after the date of initial start-up.

(b) For existing units:
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 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, 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(35).

C.9 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. The analog instrument shall be capable of measuring values outside of the normal range.

(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.10 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 prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.

(b) These ERPs shall be submitted for approval 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 180 days from the date on which this source commences operation.

The ERP 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(35).

(c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.

(d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.

(e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.

(f) 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.11 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.12 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.13 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(35).

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

C.14 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]

Pursuant to 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(33) (“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(35).

C.15 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, where applicable:

(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, where applicable:

(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.

These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

(b) Unless otherwise specified in this permit, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

C.16 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(35). 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) The first report shall cover the period commencing on the date of issuance of this permit or the date of initial start-up, whichever is later, and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit, “calendar year” means the twelve (12) month period from January 1 to December 31 inclusive.

Stratospheric Ozone Protection

C.17 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) Thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, approved in 2024 for construction, each with a maximum heat input capacity of 26.4 MMBTU per hour, using no control, and exhausting to stacks SV 1 through SV 34.

[Under NSPS 40 CFR 60, Subpart IIII, these emergency generators are affected sources.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, these emergency generators are affected sources.]

(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 PSD Minor Limit [326 IAC 2-2]

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

The total NOx emissions from the thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, shall not exceed 240 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

Compliance with these limits, combined with the potential to emit NOx from all other emission units at this source, shall limit the source-wide total potential to emit of NOx to less than 250 tons per twelve (12) consecutive month period, and shall render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

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

Compliance Determination Requirements [326 IAC 2-7-5(1)]

D.1.3 NOx Compliance Determination

In order to determine compliance with Condition D.1.1, NOx emissions from the thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, shall be calculated using the following equation:

$$\text{NOx emissions (tons/month)} = \sum_{n=1}^{34} \frac{DFU_{\leq 25\%\ load,i} * EF_{\leq 25\%\ load} + DFU_{>25\%\ load,i} * EF_{>25\%\ load}}{2{,}000\ lbs/ton}$$

Where:

$DFU_{\leq 25\%\ load}$ = Diesel fuel used by Gen 1 to 34 (gallons/month), when operating at or below 25% electric load

$DFU_{>25\%\ load}$ = Diesel fuel used by Gen 1 to Gen 34 (gallons/month), when operating above 25% electric load

$EF_{\leq 25\%\ load}$ = 0.6 lbs of NOx per gallon of diesel fuel used by Gen 1 to Gen 34, when operating at or below 25% electric load

$EF_{>25\% \text{ load}}$ = 0.3 lbs of NOx per gallon of diesel fuel used by Gen 1 to Gen 34, when operating above 25% electric load

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

D.1.4 Record Keeping Requirement

(a) To document the compliance status with Condition D.1.1, the Permittee shall maintain records of the following:

(1) Diesel fuel used by the thirty-four (34) diesel-fired emergency generators Gen 1 through Gen 34 (gallons/month), when operating at ≤25% electric load.

(2) Diesel fuel used by the thirty-four (34) diesel-fired emergency generators Gen 1 through Gen 34 (gallons/month), when operating at >25% electric load.

(3) NOx emission calculations performed using the equation found in Condition D.1.3, on a monthly basis and each compliance period.

(b) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the records required by this condition.

D.1.5 Reporting Requirements

A quarterly summary of the information to document the compliance status with Condition D.1.1 shall be submitted, using the reporting forms located at the end of this permit, or their equivalent, no later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting Requirements contains the Permittee's obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a “responsible official” as defined by 326 IAC 2-7-1(34).

SECTION E.1 NSPS

Emissions Unit Description:

(a) Thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, approved in 2024 for construction, each with a maximum heat input capacity of 26.4 MMBTU per hour, using no control, and exhausting to stacks SV 1 through SV 34.

[Under NSPS 40 CFR 60, Subpart IIII, these emergency generators are affected sources.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, these emergency generators are affected sources.]

Insignificant Activities:

(b) One (1) diesel-fired emergency guard house generator, identified as DEGH1, approved in 2024 for construction, with a maximum heat input capacity of 4.5 MMBTU per hour, using no control, and exhausting to stack SV 35.

[Under NSPS 40 CFR 60, Subpart IIII, this emergency generator is an affected source.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, this emergency generator is an affected source.]

(c) One (1) diesel-fired emergency fire pump, identified as DEP1, approved in 2024 for construction, with a maximum heat input capacity of 3.9 MMBTU per hour, using no control, and exhausting to stack SV 36.

[Under NSPS 40 CFR 60, Subpart IIII, this emergency fire pump is an affected source.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, this emergency fire pump is an affected source.]

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

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

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

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

(b) Pursuant to 40 CFR 60.4, the Permittee shall submit all required notifications and reports to:

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

E.1.2 New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines, NSPS [326 IAC 12] [40 CFR Part 60, Subpart IIII]

The Permittee shall comply with the following provisions of 40 CFR Part 60, Subpart IIII (included as Attachment A to the operating permit), which are incorporated by reference as 326 IAC 12.

(a) Thirty-five (35) diesel-fired emergency generators:

(1) 40 CFR 60.4200(a)(1)(i) and (a)(4)
(2) 40 CFR 60.4205(b)
(3) 40 CFR 60.4206
(4) 40 CFR 60.4207(b)
(5) 40 CFR 60.4208
(6) 40 CFR 60.4209(a)
(7) 40 CFR 60.4211(a), (c) and (f)
(8) 40 CFR 60.4214(b) and (d)
(9) 40 CFR 60.4218
(10) 40 CFR 60.4219
(11) Table 5 of 40 CFR 60, Subpart IIII
(12) Table 8 of 40 CFR 60, Subpart IIII

(b) One (1) diesel-fired emergency fire pump:

(1) 40 CFR 60.4200(a)(2)(ii) and (a) (4)
(2) 40 CFR 60.4205(c)
(3) 40 CFR 60.4206
(4) 40 CFR 60.4207(b)
(5) 40 CFR 60.4208
(6) 40 CFR 60.4209(a)
(7) 40 CFR 60.4211(a), (c) and (f)
(8) 40 CFR 60.4214(b) and (d)
(9) 40 CFR 60.4218
(10) 40 CFR 60.4219
(11) Table 4 of 40 CFR 60, Subpart IIII
(12) Table 5 of 40 CFR 60, Subpart IIII
(13) Table 8 of 40 CFR 60, Subpart IIII

E.1.3 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

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

SECTION E.2 NESHAP

Emissions Unit Description:

(a) Thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, approved in 2024 for construction, each with a maximum heat input capacity of 26.4 MMBTU per hour, using no control, and exhausting to stacks SV 1 through SV 34.

[Under NSPS 40 CFR 60, Subpart IIII, these emergency generators are affected sources.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, these emergency generators are affected sources.]

Insignificant Activities:

(b) One (1) diesel-fired emergency guard house generator, identified as DEGH1, approved in 2024 for construction, with a maximum heat input capacity of 4.5 MMBTU per hour, using no control, and exhausting to stack SV 35.

[Under NSPS 40 CFR 60, Subpart IIII, this emergency generator is an affected source.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, this emergency generator is an affected source.]

(c) One (1) diesel-fired emergency fire pump, identified as DEP1, approved in 2024 for construction, with a maximum heat input capacity of 3.9 MMBTU per hour, using no control, and exhausting to stack SV 36.

[Under NSPS 40 CFR 60, Subpart IIII, this emergency fire pump is an affected source.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, this emergency fire pump is an affected source.]

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

National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]

E.2.1 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1] [40 CFR Part 63, Subpart A]

(a) Pursuant to 40 CFR 63.1 the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1, for the emission unit(s) listed above, except as otherwise specified in 40 CFR Part 63, Subpart ZZZZ.

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

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

E.2.2 National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines NESHAP [40 CFR Part 63, Subpart ZZZZ] [326 IAC 20-82]

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart ZZZZ (included as Attachment B to the operating permit), which are incorporated by reference as 326 IAC 20-82, for the emission unit(s) listed above:

(1) 40 CFR 63.6585(a), (c), and (d)
(2) 40 CFR 63.6590(a)(2)(iii) and (c)(1)

E.2.3 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

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

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

Source Name: Hatchworks LLC
Source Address: 7510 Zodiac Way, Fort Wayne, Indiana 46816
Part 70 Permit No.: T003-47378-00530

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:	
Email Address:	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: Hatchworks LLC
Source Address: 7510 Zodiac Way, Fort Wayne, Indiana 46816
Part 70 Permit No.: T003-47378-00530

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**) daytime 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 Monthly NO_x Emissions Report

(Submit Report Quarterly)

Source Name: Hatchworks LLC
Source Address: 7510 Zodiac Way, Fort Wayne, Indiana 46816
Part 70 Permit No.: T003-47378-00530
Facility: Thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34
Parameter: NOx
Limit: The combined NOx emissions from the thirty-four (34) diesel-fired emergency generators shall not exceed 240 tons per twelve (12) consecutive month period, with compliance determined at the end of each month

MONTH:_____ YEAR:_____

Month	Column 1	Column 2	Column 1 + Column 2
	NOx Emissions (tons)	NOx Emissions (tons)	NOx Emissions (tons)
	This Month	Previous 11 Months	12 Month Total

☐ No deviation occurred in this quarter.
☐ Deviation/s occurred in this quarter.
Deviation has been reported on: _____

Submitted by: _____

Title / Position: _____

Signature: _____

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: Hatchworks LLC
Source Address: 7510 Zodiac Way, Fort Wayne, Indiana 46816
Part 70 Permit No.: T003-47378-00530

Months: _____ to _____ Year: _____

This report shall be submitted quarterly based on a calendar year. Proper notice submittal under Section B - Emergency Provisions satisfies the reporting requirements of paragraph (a) of Section C-General Reporting. 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: _____

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

Hatchworks LLC
7510 Zodiac Way
Fort Wayne, Indiana 46816

Affidavit of Construction

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

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

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

3. By virtue of my position with _____, I have personal
(Company Name)
knowledge of the representations contained in this affidavit and am authorized to make these representations on behalf of _____.
(Company Name)

4. I hereby certify that Hatchworks LLC, 7510 Zodiac Way, Fort Wayne, Indiana 46816, completed construction of the data center on _____ in conformity with the requirements and intent of the construction permit application received by the Office of Air Quality on December 27, 2023, and as permitted pursuant to New Source Construction Permit and Part 70 Operating Permit No. T003-47378-00530, Plant ID No. 003-00530 issued on _____.

5. **Permittee, please cross out the following statement if it does not apply:** Additional (operations/facilities) were constructed/substituted as described in the attachment to this document and were not made in accordance with the construction permit.

Further Affiant said not.

I affirm under penalties of perjury that the representations contained in this affidavit are true, to the best of my information and belief.

Signature_____
Date_____

STATE OF INDIANA)
)SS
COUNTY OF _____)

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

Signature_____
Name_____ (typed or printed)

If the source location has been given an Enhanced 911 service address that is different than the source location address specified in the current permit, please provide the Enhanced 911 service address in the space below and please submit a permit application to modify the permit to specify the Enhanced 911 service address.

_____	_____	_____	_____
(Location Address*)*	*(City)*	*(State)*	*(ZIP Code)*

Attachment A

Part 70 Operating Permit No: 003-47378-00530

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

Source: 71 FR 39172, July 11, 2006, unless otherwise noted.

What This Subpart Covers

§ 60.4200 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

(i) 2007 or later, for engines that are not fire pump engines;

(ii) The model year listed in Table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:

(i) Manufactured after April 1, 2006, and are not fire pump engines, or

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of any stationary CI ICE that are modified or reconstructed after July 11, 2005 and any person that modifies or reconstructs any stationary CI ICE after July 11, 2005.

(4) The provisions of § 60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C, except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

(e) Owners and operators of facilities with CI ICE 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.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 86 FR 34357, June 29, 2021]

Emission Standards for Manufacturers

§ 60.4201 What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 kilowatt (KW) (3,000 horsepower (HP)) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 1039.102, 1039.104, 1039.105, 1039.107, and 1039.115 and 40 CFR part 1039, appendix I, as applicable, for all pollutants, for the same model year and maximum engine power.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 through 2010 model year non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(c) Stationary CI internal combustion engine manufacturers must certify their 2011 model year and later non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same maximum engine power.

(d) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:

(1) Their 2007 model year through 2012 non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;

(2) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(3) Their 2013 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(e) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the certification emission standards and other requirements for new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.110, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, as applicable, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(2) Their 2014 model year and later non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder.

(f) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary non-emergency CI ICE identified in paragraphs (a) and (c) of this section may be certified to the provisions of 40 CFR part 1042 for commercial engines that are applicable for the engine's model year, displacement, power density, and maximum engine power if the engines will be used solely in either or both of the following locations:

(1) Remote areas of Alaska; and

(2) Marine offshore installations.

(g) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI 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 CI ICE.

(h) Stationary CI ICE certified to the standards in 40 CFR part 1039 and equipped with auxiliary emission control devices (AECDs) as specified in 40 CFR 1039.665 must meet the Tier 1 certification emission standards for new nonroad CI engines in 40 CFR part 1039, appendix I, while the AECD is activated during a qualified emergency situation. A qualified emergency situation is defined in 40 CFR 1039.665. When the qualified emergency situation has ended and the AECD is deactivated, the engine must resume meeting the otherwise applicable emission standard specified in this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34357, June 29, 2021]

§ 60.4202 What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section.

(1) For engines with a maximum engine power less than 37 KW (50 HP):

(i) The Tier 2 emission standards for new nonroad CI engines for the appropriate rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 for model year 2007 engines; and

(ii) The certification emission standards for new nonroad CI engines in 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, 40 CFR 1039.115, and table 2 to this subpart, for 2008 model year and later engines.

(2) For engines with a rated power greater than or equal to 37 KW (50 HP), the Tier 2 or Tier 3 emission standards for new nonroad CI engines for the same rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 beginning in model year 2007.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (b)(1) through (2) of this section.

(1) For 2007 through 2010 model years, the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(2) For 2011 model year and later, the Tier 2 emission standards as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105.

(c) [Reserved]

(d) Beginning with the model years in table 3 to this subpart, stationary CI internal combustion engine manufacturers must certify their fire pump stationary CI ICE to the emission standards in table 4 to this subpart, for all pollutants, for the same model year and NFPA nameplate power.

(e) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE that are not fire pump engines to the appropriate Tier 2 emission standards for new marine CI engines as described in 40 CFR part 1042, appendix I, for all pollutants, for the same displacement and rated power:

(1) Their 2007 model year through 2012 emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;

(2) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder;

(3) Their 2013 model year emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder; and

(4) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power greater than or equal to 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(f) Stationary CI internal combustion engine manufacturers must certify the following emergency stationary CI ICE to the certification emission standards and other requirements applicable to Tier 3 new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2013 model year and later emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(2) Their 2014 model year and later emergency stationary CI ICE with a maximum engine power less than 2,000 KW (2,682 HP) and a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder.

(g) Notwithstanding the requirements in paragraphs (a) through (d) of this section, stationary emergency CI ICE identified in paragraphs (a) and (c) of this section may be certified to the provisions of 40 CFR part 1042 for commercial engines that are applicable for the engine's model year, displacement, power density, and maximum engine power if the engines will be used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section. Engines that would be subject to the Tier 4 standards in 40 CFR part 1042 that are used solely in either or both of the locations identified in paragraphs (g)(1) and (2) of this section may instead continue to be certified to the previous tier of standards in 40 CFR part 1042. The previous tier is Tier 3 in most cases; however, the previous tier is Tier 2 if there are no Tier 3 standards specified for engines of a certain size or power rating.

(1) Remote areas of Alaska; and

(2) Marine offshore installations.

(h) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI 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 (f) of this

section that are applicable to the model year, maximum engine power and displacement of the reconstructed emergency stationary CI ICE.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021; 88 FR 4471, Jan. 24, 2023]

§ 60.4203 How long must my engines meet the emission standards if I am a manufacturer of stationary CI internal combustion engines?

Engines manufactured by stationary CI internal combustion engine manufacturers must meet the emission standards as required in §§ 60.4201 and 60.4202 during the certified emissions life of the engines.

[76 FR 37968, June 28, 2011]

Emission Standards for Owners and Operators

§ 60.4204 What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of less than 10 liters per cylinder must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in § 60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

(c) Owners and operators of non-emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the following requirements:

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 grams per kilowatt-hour (g/KW-hr) (12.7 grams per horsepower-hr (g/HP-hr)) when maximum engine speed is less than 130 revolutions per minute (rpm);

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012 and before January 1, 2016, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) For engines installed on or after January 1, 2016, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 3.4 g/KW-hr (2.5 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $9.0 \cdot n^{-0.20}$ g/KW-hr ($6.7 \cdot n^{-0.20}$ g/HP-hr) where n (maximum engine speed) is 130 or more but less than 2,000 rpm; and

(iii) 2.0 g/KW-hr (1.5 g/HP-hr) where maximum engine speed is greater than or equal to 2,000 rpm.

(4) Reduce particulate matter (PM) emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/KW-hr (0.11 g/HP-hr).

(d) Owners and operators of non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the not-to-exceed (NTE) standards as indicated in § 60.4212.

(e) Owners and operators of any modified or reconstructed non-emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed non-emergency stationary CI ICE that are specified in paragraphs (a) through (d) of this section.

(f) Owners and operators of stationary CI ICE certified to the standards in 40 CFR part 1039 and equipped with AECDs as specified in 40 CFR 1039.665 must meet the Tier 1 certification emission standards for new nonroad CI engines in 40 CFR part 1039, appendix I, while the AECD is activated during a qualified emergency situation. A qualified emergency situation is defined in 40 CFR 1039.665. When the qualified emergency situation has ended and the AECD is deactivated, the engine must resume meeting the otherwise applicable emission standard specified in this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

§ 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters per cylinder that are not fire pump engines must comply with the emission standards in Table 1 to this subpart. Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines must comply with the Tier 1 emission standards in 40 CFR part 1042, appendix I.

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in § 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

(d) Owners and operators of emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the requirements in this section.

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/kW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

(e) Owners and operators of emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the NTE standards as indicated in § 60.4212.

(f) Owners and operators of any modified or reconstructed emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed CI ICE that are specified in paragraphs (a) through (e) of this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 86 FR 34358, June 29, 2021]

§ 60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§ 60.4204 and 60.4205 over the entire life of the engine.

[76 FR 37969, June 28, 2011]

Fuel Requirements for Owners and Operators

§ 60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

(a) [Reserved]

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

(c) [Reserved]

(d) Beginning June 1, 2012, owners and operators of stationary CI ICE subject to this subpart with a displacement of greater than or equal to 30 liters per cylinder must use diesel fuel that meets a maximum per-gallon sulfur content of 1,000 parts per million (ppm).

(e) Stationary CI ICE that have a national security exemption under § 60.4200(d) are also exempt from the fuel requirements in this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 85 FR 78463, Dec. 4, 2020]

Other Requirements for Owners and Operators

§ 60.4208 What is the deadline for importing or installing stationary CI ICE produced in previous model years?

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.

(c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

(d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.

(e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.

(f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.

(g) After December 31, 2018, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power greater than or equal to 600 KW (804 HP) and less than 2,000 KW (2,680 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that do not meet the applicable requirements for 2017 model year non-emergency engines.

(h) In addition to the requirements specified in §§ 60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (g) of this section after the dates specified in paragraphs (a) through (g) of this section.

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

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

§ 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in § 60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine.

(b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in § 60.4204, the diesel particulate filter must be installed with a

backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

Compliance Requirements

§ 60.4210 What are my compliance requirements if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of less than 10 liters per cylinder to the emission standards specified in §§ 60.4201(a) through (c) and 60.4202(a), (b), and (d) using the certification procedures required in 40 CFR part 1039, subpart C, and must test their engines as specified in 40 CFR part 1039. For the purposes of this subpart, engines certified to the standards in Table 1 to this subpart shall be subject to the same certification procedures required for engines certified to the Tier 1 standards in 40 CFR part 1039, appendix I. For the purposes of this subpart, engines certified to the standards in Table 4 to this subpart shall be subject to the same certification procedures required for engines certified to the Tier 1 standards in 40 CFR part 1039, appendix I, except that engines with NFPA nameplate power of less than 37 KW (50 HP) certified to model year 2011 or later standards shall be subject to the same requirements as engines certified to the standards in 40 CFR part 1039.

(b) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder to the emission standards specified in §§ 60.4201(d) and (e) and 60.4202(e) and (f) using the certification procedures required in 40 CFR part 1042, subpart C, and must test their engines as specified in 40 CFR part 1042.

(c) Stationary CI internal combustion engine manufacturers must meet the requirements of 40 CFR 1039.120, 1039.125, 1039.130, and 1039.135 and 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1039. Stationary CI internal combustion engine manufacturers must meet the corresponding provisions of 40 CFR part 1042 for engines that would be covered by that part if they were nonroad (including marine) engines. Labels on such engines must refer to stationary engines, rather than or in addition to nonroad or marine engines, as appropriate. Stationary CI internal combustion engine manufacturers must label their engines according to paragraphs (c)(1) through (3) of this section.

(1) Stationary CI internal combustion engines manufactured from January 1, 2006 to March 31, 2006 (January 1, 2006 to June 30, 2006 for fire pump engines), other than those that are part of certified engine families under the nonroad CI engine regulations, must be labeled according to 40 CFR 1039.20.

(2) Stationary CI internal combustion engines manufactured from April 1, 2006 to December 31, 2006 (or, for fire pump engines, July 1, 2006 to December 31 of the year preceding the year listed in table 3 to this subpart) must be labeled according to paragraphs (c)(2)(i) through (iii) of this section:

(i) Stationary CI internal combustion engines that are part of certified engine families under the nonroad regulations must meet the labeling requirements for nonroad CI engines, but do not have to meet the labeling requirements in 40 CFR 1039.20.

(ii) Stationary CI internal combustion engines that meet Tier 1 requirements (or requirements for fire pumps) under this subpart, but do not meet the requirements applicable to nonroad CI engines must be labeled according to 40 CFR 1039.20. The engine manufacturer may add language to the label clarifying that the engine meets Tier 1 requirements (or requirements for fire pumps) of this subpart.

(iii) Stationary CI internal combustion engines manufactured after April 1, 2006 that do not meet Tier 1 requirements of this subpart, or fire pumps engines manufactured after July 1, 2006 that do not meet the requirements for fire pumps under this subpart, may not be used in the U.S. If any such engines are manufactured in the U.S. after April 1, 2006 (July 1, 2006 for fire pump engines), they must be exported or must be brought into compliance with the appropriate standards prior to initial operation. The export provisions of 40 CFR 1068.230 would apply to engines for export and the manufacturers must label such engines according to 40 CFR 1068.230.

(3) Stationary CI internal combustion engines manufactured after January 1, 2007 (for fire pump engines, after January 1 of the year listed in table 3 to this subpart, as applicable) must be labeled according to paragraphs (c)(3)(i) through (iii) of this section.

(i) Stationary CI internal combustion engines that meet the requirements of this subpart and the corresponding requirements for nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in 40 CFR part 1039 or 1042, as appropriate.

(ii) Stationary CI internal combustion engines that meet the requirements of this subpart, but are not certified to the standards applicable to nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in 40 CFR part 1039 or 1042, as appropriate, but the words “stationary” must be included instead of “nonroad” or “marine” on the label. In addition, such engines must be labeled according to 40 CFR 1039.20.

(iii) Stationary CI internal combustion engines that do not meet the requirements of this subpart must be labeled according to 40 CFR 1068.230 and must be exported under the provisions of 40 CFR 1068.230.

(d) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under 40 CFR part 1039 or 1042 for that model year may certify any such family that contains both nonroad (including marine) and stationary engines as a single engine family and/or may include any such family containing stationary engines in the averaging, banking, and trading provisions applicable for such engines under those parts.

(e) Manufacturers of engine families discussed in paragraph (d) of this section may meet the labeling requirements referred to in paragraph (c) of this section for stationary CI ICE by either adding a separate label containing the information required in paragraph (c) of this section or by adding the words “and stationary” after the word “nonroad” or “marine,” as appropriate, to the label.

(f) Starting with the model years shown in table 5 to this subpart, stationary CI internal combustion engine manufacturers must add a permanent label stating that the engine is for stationary emergency use only to each new emergency stationary CI internal combustion engine greater than or equal to 19 KW (25 HP) that meets all the emission standards for emergency engines in § 60.4202 but does not meet all the emission standards for non-emergency engines in § 60.4201. The label must be added according to the labeling requirements specified in 40 CFR 1039.135(b). Engine manufacturers must specify in the owner's manual that operation of emergency engines is limited to emergency operations and required maintenance and testing.

(g) Manufacturers of fire pump engines may use the test cycle in table 6 to this subpart for testing fire pump engines and may test at the NFPA certified nameplate HP, provided that the engine is labeled as “Fire Pump Applications Only”.

(h) Engine manufacturers, including importers, may introduce into commerce uncertified engines or engines certified to earlier standards that were manufactured before the new or changed standards took effect until inventories are depleted, as long as such engines are part of normal inventory. For example, if the engine manufacturers' normal industry practice is to keep on hand a one-month supply of engines based on its projected sales, and a new tier of standards starts to apply for the 2009 model year, the engine manufacturer may manufacture engines based on the normal inventory requirements late in the 2008 model year, and sell those engines for installation. The engine manufacturer may not circumvent the provisions of § 60.4201 or § 60.4202 by stockpiling engines that are built before new or changed standards take effect. Stockpiling of such engines beyond normal industry practice is a violation of this subpart.

(i) The replacement engine provisions of 40 CFR 1068.240 are applicable to stationary CI engines replacing existing equipment that is less than 15 years old.

(j) Stationary CI ICE manufacturers may equip their stationary CI internal combustion engines certified to the emission standards in 40 CFR part 1039 with AECDs for qualified emergency situations according to the requirements of 40 CFR 1039.665. Manufacturers of stationary CI ICE equipped with AECDs as allowed by 40 CFR 1039.665 must meet all the requirements in 40 CFR 1039.665 that apply to manufacturers. Manufacturers must document that the engine complies with the Tier 1 standard in 40 CFR part 1039, appendix I, when the AECD is activated. Manufacturers must provide any relevant testing, engineering analysis, or other information in

sufficient detail to support such statement when applying for certification (including amending an existing certificate) of an engine equipped with an AECD as allowed by 40 CFR 1039.665.

(k) Manufacturers of any size may certify their emergency stationary CI internal combustion engines under this section using assigned deterioration factors established by EPA, consistent with 40 CFR 1039.240 and 1042.240.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

§ 60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR part 1068, as they apply to you.

(b) If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(a) or § 60.4205(a), or if you are an owner or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.

(1) Purchasing an engine certified to emission standards for the same model year and maximum engine power as described in 40 CFR parts 1039 and 1042, as applicable. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in § 60.4212, as applicable.

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b) or § 60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b), or § 60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section.

(d) If you are an owner or operator and must comply with the emission standards specified in § 60.4204(c) or § 60.4205(d), you must demonstrate compliance according to the requirements specified in paragraphs (d)(1) through (3) of this section.

(1) Conducting an initial performance test to demonstrate initial compliance with the emission standards as specified in § 60.4213.

(2) Establishing operating parameters to be monitored continuously to ensure the stationary internal combustion engine continues to meet the emission standards. The owner or operator must petition the Administrator for approval of operating parameters to be monitored continuously. The petition must include the information described in paragraphs (d)(2)(i) through (v) of this section.

(i) Identification of the specific parameters you propose to monitor continuously;

(ii) A discussion of the relationship between these parameters and NO_X and PM emissions, identifying how the emissions of these pollutants change with changes in these parameters, and how limitations on these parameters will serve to limit NO_X and PM emissions;

(iii) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

(iv) A discussion identifying the methods and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(v) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(3) For non-emergency engines with a displacement of greater than or equal to 30 liters per cylinder, conducting annual performance tests to demonstrate continuous compliance with the emission standards as specified in § 60.4213.

(e) If you are an owner or operator of a modified or reconstructed stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(e) or § 60.4205(f), you must demonstrate compliance according to one of the methods specified in paragraphs (e)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in § 60.4204(e) or § 60.4205(f), as applicable.

(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in § 60.4212 or § 60.4213, as appropriate. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, 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) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) You may operate your emergency stationary ICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. 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 calendar year.

(ii)-(iii) [Reserved]

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraph (f)(3)(i) of this section, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(ii) [Reserved]

(g) If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

(1) If you are an owner or operator of a stationary CI internal combustion engine with maximum engine power 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. In addition, if you do not install and configure the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.

(2) If you are an owner or operator of a stationary CI 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 to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer.

(3) If you are an owner or operator of a stationary CI 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 to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

(h) The requirements for operators and prohibited acts specified in 40 CFR 1039.665 apply to owners or operators of stationary CI ICE equipped with AECDs for qualified emergency situations as allowed by 40 CFR 1039.665.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021; 87 FR 48605, Aug. 10, 2022]

Testing Requirements for Owners and Operators

§ 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (e) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or Tier 2 emission standards as described in 40 CFR part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad \text{(Eq. 1)}$$

Where:

STD = The standard specified for that pollutant in 40 CFR part 1039 or 1042, as applicable.

(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in § 60.4204(a), § 60.4205(a), or § 60.4205(c), determined from the equation in paragraph (c) of this section.

Where:

STD = The standard specified for that pollutant in § 60.4204(a), § 60.4205(a), or § 60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) may follow the testing procedures specified in § 60.4213, as appropriate.

(e) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 CFR 1042.101(c).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011; 86 FR 34359, June 29, 2021]

§ 60.4213 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must conduct performance tests according to paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted according to the requirements in § 60.8 and under the specific conditions that this subpart specifies in table 7. The test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c).

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must last at least 1 hour.

(d) To determine compliance with the percent reduction requirement, you must follow the requirements as specified in paragraphs (d)(1) through (3) of this section.

(1) You must use Equation 2 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \qquad \text{(Eq. 2)}$$

Where:

C_i = concentration of NO_X or PM at the control device inlet,

C_o = concentration of NO_X or PM at the control device outlet, and

R = percent reduction of NO_X or PM emissions.

(2) You must normalize the NO_X or PM concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen (O_2) using Equation 3 of this section, or an equivalent percent carbon dioxide (CO_2) using the procedures described in paragraph (d)(3) of this section.

$$C_{adj} = C_d \frac{5.9}{20.9 - \%\ O_2} \qquad \text{(Eq. 3)}$$

Where:

C_{adj} = Calculated NO_X or PM concentration adjusted to 15 percent O_2.

C_d = Measured concentration of NO_X or PM, uncorrected.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2 correction value, percent.

$\%O_2$ = Measured O_2 concentration, dry basis, percent.

(3) If pollutant concentrations are to be corrected to 15 percent O_2 and CO_2 concentration is measured in lieu of O_2 concentration measurement, a CO_2 correction factor is needed. Calculate the CO_2 correction factor as described in paragraphs (d)(3)(i) through (iii) of this section.

(i) Calculate the fuel-specific F_o value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

$$F_o = \frac{0.209_{F_d}}{F_c} \qquad \text{(Eq. 4)}$$

Where:

F_o = Fuel factor based on the ratio of O_2 volume to the ultimate CO_2 volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is O_2, percent/100.

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu).

F_c = Ratio of the volume of CO_2 produced to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu).

(ii) Calculate the CO_2 correction factor for correcting measurement data to 15 percent O_2, as follows:

$$X_{CO_2} = \frac{5.9}{F_o} \qquad \text{(Eq. 5)}$$

Where:

X_{CO2} = CO_2 correction factor, percent.

5.9 = 20.9 percent O_2−15 percent O_2, the defined O_2 correction value, percent.

(iii) Calculate the NO_X and PM gas concentrations adjusted to 15 percent O_2 using CO_2 as follows:

$$C_{adj} = C_d \frac{X_{CO_2}}{\%CO_2} \qquad \text{(Eq. 6)}$$

Where:

C_{adj} = Calculated NO_X or PM concentration adjusted to 15 percent O_2.

C_d = Measured concentration of NO_X or PM, uncorrected.

$\%CO_2$ = Measured CO_2 concentration, dry basis, percent.

(e) 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 7 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{\text{KW-hour}} \qquad \text{(Eq. 7)}$$

Where:

ER = Emission rate in grams per KW-hour.

C_d = Measured NO_X concentration in ppm.

1.912×10^{-3} = Conversion constant for ppm NO_X to grams per standard cubic meter at 25 degrees Celsius.

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

T = Time of test run, in hours.

KW-hour = Brake work of the engine, in KW-hour.

(f) To determine compliance with the PM mass per unit output emission limitation, convert the concentration of PM in the engine exhaust using Equation 8 of this section:

$$ER = \frac{C_{adj} \times Q \times T}{\text{KW-hour}} \qquad \text{(Eq. 8)}$$

Where:

ER = Emission rate in grams per KW-hour.

C_{adj} = Calculated PM concentration in grams per standard cubic meter.

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

T = Time of test run, in hours.

KW-hour = Energy output of the engine, in KW.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011]

Notification, Reports, and Records for Owners and Operators

§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of non-emergency stationary CI ICE that are greater than 2,237 KW (3,000 HP), or have a displacement of greater than or equal to 10 liters per cylinder, or are pre-2007 model year engines that are greater than 130 KW (175 HP) and not certified, must meet the requirements of paragraphs (a)(1) and (2) of this section.

(1) Submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (a)(1)(i) through (v) of this section.

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

(ii) The address of the affected source;

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

(iv) Emission control equipment; and

(v) Fuel used.

(2) Keep records of the information in paragraphs (a)(2)(i) through (iv) of this section.

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

(ii) Maintenance conducted on the engine.

(iii) If the stationary CI internal combustion is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards.

(iv) If the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards.

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

(c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

(d) If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates for the purpose specified in § 60.4211(f)(3)(i), you must submit an annual report according to the requirements in paragraphs (d)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

(ii) Date of the report and beginning and ending dates of the reporting period.

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v)-(vi) [Reserved]

(vii) Hours spent for operation for the purposes specified in § 60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in § 60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4.

(e) Owners or operators of stationary CI ICE equipped with AECDs pursuant to the requirements of 40 CFR 1039.665 must report the use of AECDs as required by 40 CFR 1039.665(e).

[71 FR 39172, July 11, 2006, as amended at 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 87 FR 48606, Aug. 10, 2022]

Special Requirements

§ 60.4215 What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?

(a) Stationary CI ICE with a displacement of less than 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the applicable emission standards in §§ 60.4202 and 60.4205.

(b) Stationary CI ICE that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are not required to meet the fuel requirements in § 60.4207.

(c) Stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the following emission standards:

(1) For engines installed prior to January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 17.0 g/KW-hr (12.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $45 \cdot n^{-0.2}$ g/KW-hr ($34 \cdot n^{-0.2}$ g/HP-hr) when maximum engine speed is 130 or more but less than 2,000 rpm, where n is maximum engine speed; and

(iii) 9.8 g/KW-hr (7.3 g/HP-hr) when maximum engine speed is 2,000 rpm or more.

(2) For engines installed on or after January 1, 2012, limit the emissions of NO_X in the stationary CI internal combustion engine exhaust to the following:

(i) 14.4 g/KW-hr (10.7 g/HP-hr) when maximum engine speed is less than 130 rpm;

(ii) $44 \cdot n^{-0.23}$ g/KW-hr ($33 \cdot n^{-0.23}$ g/HP-hr) when maximum engine speed is greater than or equal to 130 but less than 2,000 rpm and where n is maximum engine speed; and

(iii) 7.7 g/KW-hr (5.7 g/HP-hr) when maximum engine speed is greater than or equal to 2,000 rpm.

(3) Limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.40 g/KW-hr (0.30 g/HP-hr).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011]

§ 60.4216 What requirements must I meet for engines used in Alaska?

(a) Prior to December 1, 2010, owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder located in areas of Alaska not accessible by the FAHS should refer to 40 CFR part 69 to determine the diesel fuel requirements applicable to such engines.

(b) Except as indicated in paragraph (c) of this section, manufacturers, owners and operators of stationary CI ICE with a displacement of less than 10 liters per cylinder located in remote areas of Alaska may meet the requirements of this subpart by manufacturing and installing engines meeting the Tier 2 or Tier 3 emission standards described in 40 CFR part 1042 for the same model year, displacement, and maximum engine power, as appropriate, rather than the otherwise applicable requirements of 40 CFR part 1039, as indicated in §§ 60.4201(f) and 60.4202(g).

(c) Manufacturers, owners, and operators of stationary CI ICE that are located in remote areas of Alaska may choose to meet the applicable emission standards for emergency engines in §§ 60.4202 and 60.4205, and not those for non-emergency engines in §§ 60.4201 and 60.4204, except that for 2014 model year and later nonemergency CI ICE, the owner or operator of any such engine must have that engine certified as meeting at least the Tier 3 PM standards identified in appendix I of 40 CFR part 1039 or in 40 CFR 1042.101.

(d) The provisions of § 60.4207 do not apply to owners and operators of pre-2014 model year stationary CI ICE subject to this subpart that are located in remote areas of Alaska.

(e) The provisions of § 60.4208(a) do not apply to owners and operators of stationary CI ICE subject to this subpart that are located in areas of Alaska not accessible by the FAHS until after December 31, 2009.

(f) The provisions of this section and § 60.4207 do not prevent owners and operators of stationary CI ICE subject to this subpart that are located in remote areas of Alaska from using fuels mixed with used lubricating oil, in volumes of up to 1.75 percent of the total fuel. The sulfur content of the used lubricating oil must be less than 200 parts per million. The used lubricating oil must meet the on-specification levels and properties for used oil in 40 CFR 279.11.

[76 FR 37971, June 28, 2011, as amended at 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021]

§ 60.4217 What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?

Owners and operators of stationary CI ICE that do not use diesel fuel may petition the Administrator for approval of alternative emission standards, if they can demonstrate that they use a fuel that is not the fuel on which the manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in § 60.4204 or § 60.4205 using such fuels and that use of such fuel is appropriate and reasonably necessary, considering cost, energy, technical feasibility, human health and environmental, and other factors, for the operation of the engine.

[76 FR 37972, June 28, 2011]

General Provisions

§ 60.4218 What General Provisions and confidential information provisions apply to me?

(a) Table 8 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

(b) The provisions of 40 CFR 1068.10 and 1068.11 apply for engine manufacturers. For others, the general confidential business information (CBI) provisions apply as described in 40 CFR part 2.

[88 FR 4471, Jan. 24, 2023]

Definitions

§ 60.4219 What definitions apply to this subpart?

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

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

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 CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for certified emissions life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 1042.101(e).

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.

Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

Emergency stationary internal combustion engine means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4211(f) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4211(f), then it is not considered to be an emergency stationary ICE under this subpart.

(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. 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.

(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4211(f).

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4211(f)(3)(i).

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

Fire pump engine means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.

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

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

Manufacturer has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.

Model year means 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”).

Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

Reciprocating internal combustion engine means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.

Remote areas of Alaska means areas of Alaska that meet either paragraph (1) or (2) of this definition.

(1) Areas of Alaska that are not accessible by the Federal Aid Highway System (FAHS).

(2) Areas of Alaska that meet all of the following criteria:

(i) The only connection to the FAHS is through the Alaska Marine Highway System, or the stationary CI ICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.

(ii) At least 10 percent of the power generated by the stationary CI ICE on an annual basis is used for residential purposes.

(iii) The generating capacity of the source is less than 12 megawatts, or the stationary CI ICE is used exclusively for backup power for renewable energy.

Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

Spark ignition means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Subpart means 40 CFR part 60, subpart IIII.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37972, June 28, 2011; 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34360, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

Table 1 to Subpart IIII of Part 60—Emission Standards for Stationary Pre-2007 Model Year Engines With a Displacement of <10 Liters per Cylinder and 2007-2010 Model Year Engines >2,237 KW (3,000 HP) and With a Displacement of <10 Liters per Cylinder

[As stated in §§60.4201(b), 60.4202(b), 60.4204(a), and 60.4205(a), you must comply with the following emission standards]

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NO_X	HC	NO_X	CO	PM
KW<8 (HP<11)	10.5 (7.8)			8.0 (6.0)	1.0 (0.75)
8≤KW<19 (11≤HP<25)	9.5 (7.1)			6.6 (4.9)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	9.5 (7.1)			5.5 (4.1)	0.80 (0.60)
37≤KW<56 (50≤HP<75)			9.2 (6.9)		
56≤KW<75 (75≤HP<100)			9.2 (6.9)		
75≤KW<130 (100≤HP<175)			9.2 (6.9)		
130≤KW<225 (175≤HP<300)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225≤KW<450 (300≤HP<600)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
KW>560 (HP>750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

Table 2 to Subpart IIII of Part 60—Emission Standards for 2008 Model Year and Later Emergency Stationary CI ICE <37 KW (50 HP) With a Displacement of <10 Liters per Cylinder

[As stated in §60.4202(a)(1), you must comply with the following emission standards]

Engine power	Emission standards for 2008 model year and later emergency stationary CI ICE <37 KW (50 HP) with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)			
	Model year(s)	NO_X + NMHC	CO	PM
KW<8 (HP<11)	2008 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2008 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2008 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)

Table 3 to Subpart IIII of Part 60—Certification Requirements for Stationary Fire Pump Engines

As stated in §60.4202(d), you must certify new stationary fire pump engines beginning with the following model years:

Engine power	Starting model year engine manufacturers must certify new stationary fire pump engines according to §60.4202(d)[1]
KW<75 (HP<100)	2011
75≤KW<130 (100≤HP<175)	2010
130≤KW≤560 (175≤HP≤750)	2009
KW>560 (HP>750)	2008

[1]Manufacturers of fire pump stationary CI ICE with a maximum engine power greater than or equal to 37 kW (50 HP) and less than 450 KW (600 HP) and a rated speed of greater than 2,650 revolutions per minute (rpm) are not required to certify such engines until three model years following the model year indicated in this Table 3 for engines in the applicable engine power category.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37972, June 28, 2011]

Table 4 to Subpart IIII of Part 60—Emission Standards for Stationary Fire Pump Engines

[As stated in §§60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	NMHC + NO_X	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
	2011 +	7.5 (5.6)		0.40 (0.30)
8≤KW<19 (11≤HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
	2011 +	7.5 (5.6)		0.40 (0.30)
19≤KW<37 (25≤HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
	2011 +	7.5 (5.6)		0.30 (0.22)
37≤KW<56 (50≤HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2011 +[1]	4.7 (3.5)		0.40 (0.30)
56≤KW<75 (75≤HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2011 +[1]	4.7 (3.5)		0.40 (0.30)
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2010 +[2]	4.0 (3.0)		0.30 (0.22)
130≤KW<225 (175≤HP<300)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)

Maximum engine power	Model year(s)	NMHC + NO_X	CO	PM
	2009 +[3]	4.0 (3.0)		0.20 (0.15)
225≤KW<450 (300≤HP<600)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009 +[3]	4.0 (3.0)		0.20 (0.15)
450≤KW≤560 (600≤HP≤750)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009 +	4.0 (3.0)		0.20 (0.15)
KW>560 (HP>750)	2007 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2008 +	6.4 (4.8)		0.20 (0.15)

[1]For model years 2011-2013, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

[2]For model years 2010-2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

[3]In model years 2009-2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

Table 5 to Subpart IIII of Part 60—Labeling and Recordkeeping Requirements for New Stationary Emergency Engines

[You must comply with the labeling requirements in §60.4210(f) and the recordkeeping requirements in §60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]

Engine power	Starting model year
19≤KW<56 (25≤HP<75)	2013
56≤KW<130 (75≤HP<175)	2012
KW≥130 (HP≥175)	2011

Table 6 to Subpart IIII of Part 60—Optional 3-Mode Test Cycle for Stationary Fire Pump Engines

[As stated in §60.4210(g), manufacturers of fire pump engines may use the following test cycle for testing fire pump engines:]

Mode No.	Engine speed[1]	Torque (percent)[2]	Weighting factors
1	Rated	100	0.30
2	Rated	75	0.50
3	Rated	50	0.20

[1]Engine speed: ±2 percent of point.

[2]Torque: NFPA certified nameplate HP for 100 percent point. All points should be ±2 percent of engine percent load value.

Table 7 to Subpart IIII of Part 60—Requirements for Performance Tests for Stationary CI ICE With a Displacement of ≥30 Liters per Cylinder

As stated in §60.4213, you must comply with the following requirements for performance tests for stationary CI ICE with a displacement of ≥30 liters per cylinder:

Each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary CI internal combustion engine with a displacement of ≥ 30 liters per cylinder	a. Reduce NO_X emissions by 90 percent or more;	i. Select the sampling port location and number/location of traverse points at the inlet and outlet of the control device;		(a) For NO_X, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.
		ii. Measure O_2 at the inlet and outlet of the control device;	(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for NO_X concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurements for NO_X concentration.
		iv. Measure NO_X at the inlet and outlet of the control device.	(3) Method 7E of 40 CFR part 60, appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(d) NO_X 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.

Each	Complying with the requirement to	You must	Using	According to the following requirements
	b. Limit the concentration of NO_X in the stationary CI internal combustion engine exhaust.	i. Select the sampling port location and number/location of traverse points at the exhaust of the stationary internal combustion engine;		(a) For NO_X, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter *and* the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.
		ii. Determine the O_2 concentration of the stationary internal combustion engine exhaust at the sampling port location;	(1) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurement for NO_X concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(2) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurement for NO_X concentration.
		iv. Measure NO_X at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device.	(3) Method 7E of 40 CFR part 60, appendix A-4, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(d) NO_X 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.
	c. Reduce PM emissions by 60 percent or more	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1	(a) Sampling sites must be located at the inlet and outlet of the control device.

Each	Complying with the requirement to	You must	Using	According to the following requirements
		ii. Measure O_2 at the inlet and outlet of the control device;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(3) Method 4 of 40 CFR part 60, appendix A-3	(c) Measurements to determine and moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the inlet and outlet of the control device.	(4) Method 5 of 40 CFR part 60, appendix A-3	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	d. Limit the concentration of PM in the stationary CI internal combustion engine exhaust	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A-1	(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 of 40 CFR part 60, appendix A-2	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(3) Method 4 of 40 CFR part 60, appendix A-3	(c) Measurements to determine moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the exhaust of the stationary internal combustion engine.	(4) Method 5 of 40 CFR part 60, appendix A-3	(d) PM concentration must be at 15 percent O_2, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

[79 FR 11251, Feb. 27, 2014]

Table 8 to Subpart IIII of Part 60—Applicability of General Provisions to Subpart IIII

[As stated in §60.4218, you must comply with the following applicable General Provisions:]

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§60.1	General applicability of the General Provisions	Yes	
§60.2	Definitions	Yes	Additional terms defined in §60.4219.
§60.3	Units and abbreviations	Yes	
§60.4	Address	Yes	
§60.5	Determination of construction or modification	Yes	
§60.6	Review of plans	Yes	
§60.7	Notification and Recordkeeping	Yes	Except that §60.7 only applies as specified in §60.4214(a).
§60.8	Performance tests	Yes	Except that §60.8 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder and engines that are not certified.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	
§60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart IIII.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	Yes	Except that §60.13 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder.
§60.14	Modification	Yes	
§60.15	Reconstruction	Yes	
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device requirements	No	
§60.19	General notification and reporting requirements	Yes	

Attachment B

Part 70 Operating Permit No: T003-47378-00530

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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

What This Subpart Covers

§ 63.6580 What is the purpose of subpart ZZZZ?

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

[73 FR 3603, Jan. 18, 2008]

§ 63.6585 Am I subject to this subpart?

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

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

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

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

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

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

(f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in § 63.6675, which includes operating according to the provisions specified in § 63.6640(f).

(1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

(2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

(3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

§ 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;

(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; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

§ 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, operating limitations and other requirements 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, operating limitations, and other requirements 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, operating limitations, and other requirements 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; 78 FR 6701, Jan. 30, 2013]

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 and other requirements 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 and other requirements 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.

[78 FR 6701, Jan. 30, 2013]

§ 63.6603 What emission limitations, operating limitations, and other requirements 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 2b to this subpart that apply to you.

(b) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. Existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meet either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

(1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).

(2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.

(i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.

(ii) At least 10 percent of the power generated by the stationary RICE on an annual basis is used for residential purposes.

(iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.

(c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:

(1) Change oil every 1,000 hours of operation or annually, whichever comes first. 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.

(2) Inspect and clean air filters every 750 hours of operation or annually, whichever comes first, and replace as necessary.

(3) Inspect fuel filters and belts, if installed, every 750 hours of operation or annually, whichever comes first, and replace as necessary.

(4) Inspect all flexible hoses every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.

(d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in § 63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018. You must also comply with the crankcase ventilation system requirements in § 63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

(e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart IIII instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.

(f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in § 63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in § 63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in § 63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013]

§ 63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?

(a) 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 1090.305 for nonroad diesel fuel.

(b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.

(c) [Reserved]

(d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2), or are on offshore vessels that meet § 63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013, as amended at 85 FR 78463, Dec. 4, 2020; 87 FR 48607, Aug. 10, 2022]

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, operating limitations, and other requirements 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, as amended at 78 FR 6702, Jan. 30, 2013]

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. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE listed in paragraphs (b)(1) through (4) of this section.

(1) Non-emergency 4SRB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(2) New non-emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP located at a major source of HAP emissions.

(3) New non-emergency 2SLB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(4) New non-emergency CI stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(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, unless otherwise specified in this subpart.

(e)

(1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \quad (Eq.\ 1)$$

Where:

C_i = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

C_o = concentration of CO, THC, or formaldehyde at the control device outlet, and

R = percent reduction of CO, THC, or formaldehyde emissions.

(2) You must normalize the CO, THC, 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_2 concentration is measured in lieu of oxygen concentration measurement, a CO_2 correction factor is needed. Calculate the CO_2 correction 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:

$$F_O = \frac{0.209\ F_d}{F_C} \quad (Eq.\ 2)$$

Where:

F_o = Fuel factor based on the ratio of oxygen volume to the ultimate CO_2 volume 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_2 produced to the gross calorific value of the fuel from Method 19, dsm^3/J ($dscf/10^6$ Btu)

(ii) Calculate the CO_2 correction factor for correcting measurement data to 15 percent O_2, as follows:

$$X_{CO2} = \frac{5.9}{F_O} \quad (Eq.\ 3)$$

Where:

X_{CO2} = CO_2 correction factor, percent.

5.9 = 20.9 percent O_2 - 15 percent O_2, the defined O_2 correction value, percent.

(iii) Calculate the CO, THC, and formaldehyde gas concentrations adjusted to 15 percent O_2 using CO_2 as follows:

$$C_{adj} = C_d \frac{X_{CO2}}{\%CO_2} \quad (Eq.\ 4)$$

Where:

C_{adj} = Calculated concentration of CO, THC, or formaldehyde adjusted to 15 percent O_2.

C_d = Measured concentration of CO, THC, or formaldehyde, uncorrected.

X_{CO2} = CO_2 correction factor, percent.

$\%CO_2$ = Measured CO_2 concentration 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; 78 FR 6702, Jan. 30, 2013]

§ 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 O_2 or CO_2 according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.

(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_2 concentration.

(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 (6) 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)(ii) 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 stationary RICE located at an area 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.

(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 (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 that meet either § 63.6603(b)(1) or § 63.6603(b)(2) do not have to meet the requirements of this paragraph (g). Existing CI engines located on offshore vessels that meet § 63.6603(c) do not have to meet the requirements of this paragraph (g).

(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 business 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 business 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 business 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 business 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; 78 FR 6703, Jan. 30, 2013]

§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

(a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement 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.

(d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.

(e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:

(1) The compliance demonstration must consist of at least three test runs.

(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O_2 using one of the O_2 measurement methods specified in Table 4 of this subpart. Measurements to determine O_2 concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O_2 emissions simultaneously at the inlet and outlet of the control device.

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

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, operating limitations, and other requirements?

(a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements 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) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:

(1) The compliance demonstration must consist of at least one test run.

(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O_2 using one of the O_2 measurement methods specified in Table 4 of this subpart. Measurements to determine O_2 concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O_2 emissions simultaneously at the inlet and outlet of the control device.

(7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.

(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) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, 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) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary RICE in emergency situations.

(2) You may operate your emergency stationary RICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. 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 calendar year.

(ii)-(iii) [Reserved]

(3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this

section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, 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.

(4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.

(ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[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; 78 FR 6704, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

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, or no later than 120 days after the source becomes subject to this subpart, whichever is later.

(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, or no later than 120 days after the source becomes subject to this subpart, whichever is later.

(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).

(i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in § 63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in § 63.6603(d) and identifying the state or local regulation that the engine is subject to.

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013; 85 FR 73912, Nov. 19, 2020]

§ 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.

(h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates for the purpose specified in § 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

(ii) Date of the report and beginning and ending dates of the reporting period.

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v)-(vi) {Reserved]

(vii) Hours spent for operation for the purpose specified in § 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(viii) If there were no deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.

(ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data

Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 63.13.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

§ 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) through (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 engine is used for the purpose specified in § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

(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; 78 FR 6706, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

§ 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:

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

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.

Backup power for renewable energy means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(l)(5) (incorporated by reference, see § 63.14).

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 reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. 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.

(1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. 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.

(2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 63.6640(f).

(3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 63.6640(f)(4)(i) or (ii).

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.

Remote stationary RICE means stationary RICE meeting any of the following criteria:

(1) Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

(2) Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.

(i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.

(ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.

(iii) For purposes of this paragraph (2), the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

(3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

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; 78 FR 6706, Jan. 30, 2013; 87 FR 48608, Aug. 10, 2022]

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 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 1b to Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major 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:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions 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 existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O_2 and using NSCR;	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.[1]
2. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions 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.
existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O_2 and not using NSCR.	

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6706, Jan. 30, 2013]

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 63.6640, 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_2 until 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	

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	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 2b to Subpart ZZZZ of Part 63—Operating Limitations for New and Reconstructed 2SLB and CI 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 CI Stationary RICE >500 HP

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 CI 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; and existing CI stationary RICE >500 HP:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions 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. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce 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 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]
3. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and not using an oxidation catalyst; and	Comply with any operating limitations approved by the Administrator.

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst; and	
existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.	

[1]Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6707, Jan. 30, 2013]

Table 2c to 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, and replace as necessary; 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]

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
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, and replace as necessary; 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 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, and replace as necessary; 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, and replace as necessary;	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	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, and replace as necessary;	
	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.	
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 stationary RICE 100≤HP≤500 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	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) or (j) 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.

[78 FR 6708, Jan. 30, 2013, as amended at 78 FR 14457, Mar. 6, 2013]

Table 2d to 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] b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	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.
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 replace as necessary; 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 replace as necessary; 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 replace as necessary; 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 replace as necessary; 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 remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first;[1]	
	b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.	
9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Install an oxidation catalyst to reduce HAP emissions from the stationary RICE.	
10. 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 replace as necessary; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first;[1]	
	b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.	
12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Install NSCR to reduce HAP emissions from the stationary RICE.	
13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	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 replace as necessary; and	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	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) or (j) 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.

[78 FR 6709, Jan. 30, 2013]

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 >500 HP located at major sources; new or reconstructed 4SLB stationary RICE ≥250 HP located at major sources; and new or reconstructed CI stationary RICE >500 HP located at major sources	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually.[1]
2. 4SRB stationary RICE ≥5,000 HP located at major sources	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually.[1]
3. Stationary RICE >500 HP located at major sources and new or reconstructed 4SLB stationary RICE 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 >500 HP that are not limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE >500 HP that are limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours 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.

[78 FR 6711, Jan. 30, 2013]

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. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and		(a) For CO, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter*and* the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A–1, the duct may be sampled at `3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A–4.
		ii. Measure the 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–2, or ASTM D6522–00 (Reapproved 2005)[13] (heated probe not necessary)	(b) Measurements to determine O_2 must be made at the same time as the measurements for CO concentration.
		iii. Measure the CO at the inlet and the outlet of the control device; and	(2) ASTM D6522–00 (Reapproved 2005)[123] (heated probe not necessary) or method 10 of 40 CFR part 60, appendix A–4	(c) The CO concentration must be at 15 percent O_2, dry basis.
		iv. Measure moisture content at the inlet and outlet of the control device as needed to determine CO and O_2 concentrations on a dry basis	(3) Method 4 of 40 CFR part 60, appendix A–3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03[13]	(d) Measurements to determine moisture content must be made at the same time and location as the measurements for CO concentration.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
2. 4SRB stationary RICE	a. Reduce formaldehyde or THC emissions	i. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and		(a) For formaldehyde, THC, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (`3-point long line'). If the duct is >12 inches in diameter*and* the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at `3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A.
		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–2, or ASTM D6522–00 (Reapproved 2005)[13] (heated probe not necessary)	(b) Measurements to determine O_2 concentration must be made at the same time as the measurements for formaldehyde or THC concentration.
		iii. Measure moisture content at the inlet and outlet of the control device as needed to determine formaldehyde or THC and O_2 concentrations on a dry basis; and	(2) Method 4 of 40 CFR part 60, appendix A–3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03[13]	(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration.
		iv. If demonstrating compliance with the formaldehyde percent reduction requirement, measure formaldehyde at the inlet and the outlet of the control device	(3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348–03,[13] 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	(d) 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. If demonstrating compliance with the THC percent reduction requirement, measure THC at the inlet and the outlet of the control device	(4) (1) Method 25A, reported as propane, of 40 CFR part 60, appendix A–7	(e) THC 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/location of traverse points at the exhaust of the stationary RICE; and		(a) For formaldehyde, CO, O_2, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (`3-point long line'). If the duct is >12 inches in diameter*and* the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at `3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix 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–2, or ASTM D6522–00 (Reapproved 2005)[13] (heated probe not necessary)	(b) Measurements to determine O_2 concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location as needed to determine formaldehyde or CO and O_2 concentrations on a dry basis; and	(2) Method 4 of 40 CFR part 60, appendix A–3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03[13]	(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		iv. Measure formaldehyde at the exhaust of the stationary RICE; or	(3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348–03,[13] 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	(d) 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	(4) Method 10 of 40 CFR part 60, appendix A–4, ASTM D6522–00 (2005),[13] method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03[13]	(e) CO 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.

[1] You may also use methods 3A and 10 as options to ASTM–D6522–00 (2005).

[2] 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.

[3] Incorporated by reference, see § 63.14.

[88 FR 18413, Mar. 29, 2023]

Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations, Operating Limitations, and Other Requirements

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, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	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, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	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, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	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, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	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, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O_2 or CO_2 at 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.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O_2 or CO_2 at 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	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, or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; 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	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 or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; 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 . . .
9. 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 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. 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.
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 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. 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.
11. 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 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.
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. 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.
13. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install an oxidation catalyst	i. You have conducted an initial compliance demonstration as specified in §63.6630(e) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O_2;
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1350 °F.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
14. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	i. You have conducted an initial compliance demonstration as specified in §63.6630(e) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O_2, or the average reduction of emissions of THC is 30 percent or more;
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1250 °F.

[78 FR 6712, Jan. 30, 2013]

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, and Other Requirements

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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the 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, new or reconstructed non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP	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, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent.[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 stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, 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, and existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are remote stationary RICE	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	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst	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.
11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE	a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and not using oxidation catalyst	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

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		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	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using an oxidation catalyst	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.
13. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst	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.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
14. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install an oxidation catalyst	i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O_2; and either ii. Collecting the catalyst inlet temperature data according to §63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F.
15. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O_2, or the average reduction of emissions of THC is 30 percent or more; and either ii. Collecting the catalyst inlet temperature data according to §63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F.

[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.

[78 FR 6715, Jan. 30, 2013]

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; 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	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.
		b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e); or	i. Semiannually according to the requirements in §63.6650(b).
		c. If you had a malfunction during the reporting period, the information in §63.6650(c)(4).	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.
3. Existing non-emergency, non-black start 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Compliance report	a. The results of the annual compliance demonstration, if conducted during the reporting period.	i. Semiannually according to the requirements in §63.6650(b)(1)-(5).

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
4. Emergency stationary RICE that operate for the purposes specified in § 63.6640(f)(4)(ii)	Report	a. The information in §63.6650(h)(1)	i. annually according to the requirements in §63.6650(h)(2)-(3).

[87 FR 48608, Aug. 10, 2022]

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.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§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.	
§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	No	
§63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes.	

General provisions citation	Subject of citation	Applies to subpart	Explanation
§63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	No	
§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.
§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.	
§63.9(k)	Electronic reporting procedures	Yes	Only as specified in §63.9(j).
§63.10(a)	Administrative provisions for recordkeeping/reporting	Yes.	
§63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§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.	
§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.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§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, as amended at 78 FR 6720, Jan. 30, 2013; 85 FR 73912, Nov. 19, 2020]

Appendix A to Subpart ZZZZ of Part 63—Protocol for Using an Electrochemical Analyzer to Determine Oxygen and Carbon Monoxide Concentrations From Certain Engines

1.0 SCOPE AND APPLICATION. WHAT IS THIS PROTOCOL?

This protocol is a procedure for using portable electrochemical (EC) cells for measuring carbon monoxide (CO) and oxygen (O_2) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

1.1 Analytes. What does this protocol determine?

This protocol measures the engine exhaust gas concentrations of carbon monoxide (CO) and oxygen (O_2).

Analyte	CAS No.	Sensitivity
Carbon monoxide (CO)	630-08-0	Minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.
Oxygen (O_2)	*7782-44-7*	

1.2 Applicability. When is this protocol acceptable?

This protocol is applicable to 40 CFR part 63, subpart ZZZZ. Because of inherent cross sensitivities of EC cells, you must not apply this protocol to other emissions sources without specific instruction to that effect.

1.3 Data Quality Objectives. How good must my collected data be?

Refer to Section 13 to verify and document acceptable analyzer performance.

1.4 Range. What is the targeted analytical range for this protocol?

The measurement system and EC cell design(s) conforming to this protocol will determine the analytical range for each gas component. The nominal ranges are defined by choosing up-scale calibration gas concentrations near the maximum anticipated flue gas concentrations for CO and O_2, or no more than twice the permitted CO level.

1.5 Sensitivity. What minimum detectable limit will this protocol yield for a particular gas component?

The minimum detectable limit depends on the nominal range and resolution of the specific EC cell used, and the signal to noise ratio of the measurement system. The minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.

2.0 SUMMARY OF PROTOCOL

In this protocol, a gas sample is extracted from an engine exhaust system and then conveyed to a portable EC analyzer for measurement of CO and O_2 gas concentrations. This method provides measurement system performance specifications and sampling protocols to ensure reliable data. You may use additions to, or modifications of vendor supplied measurement systems (e.g., heated or unheated sample lines, thermocouples, flow meters, selective gas scrubbers, etc.) to meet the design specifications of this protocol. Do not make changes to the measurement system from the as-verified configuration (Section 3.12).

3.0 DEFINITIONS

3.1 Measurement System. The total equipment required for the measurement of CO and O_2 concentrations. The measurement system consists of the following major subsystems:

3.1.1 Data Recorder. A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.

3.1.2 Electrochemical (EC) Cell. A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.

3.1.3 Interference Gas Scrubber. A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.

3.1.4 Moisture Removal System. Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.

3.1.5 Sample Interface. The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.

3.2 Nominal Range. The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given cell so long as the calibration and repeatability checks for that range remain within specifications.

3.3 Calibration Gas. A vendor certified concentration of a specific analyte in an appropriate balance gas.

3.4 Zero Calibration Error. The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.

3.5 Up-Scale Calibration Error. The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.

3.6 Interference Check. A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.

3.7 Repeatability Check. A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.

3.8 Sample Flow Rate. The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.

3.9 Sampling Run. A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O_2 and moisture in the electrolyte reserve and provides a mechanism to de-gas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre- sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.

3.10 Sampling Day. A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.

3.11 Pre-Sampling Calibration/Post-Sampling Calibration Check. The protocols executed at the beginning and end of each sampling day to bracket measurement readings with controlled performance checks.

3.12 Performance-Established Configuration. The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

4.0 INTERFERENCES.

When present in sufficient concentrations, NO and NO_2 are two gas species that have been reported to interfere with CO concentration measurements. In the likelihood of this occurrence, it is the protocol user's responsibility to employ and properly maintain an appropriate CO EC cell filter or scrubber for removal of these gases, as described in Section 6.2.12.

5.0 SAFETY. [RESERVED]

6.0 EQUIPMENT AND SUPPLIES.

6.1 What equipment do I need for the measurement system?

The system must maintain the gas sample at conditions that will prevent moisture condensation in the sample transport lines, both before and as the sample gas contacts the EC cells. The essential components of the measurement system are described below.

6.2 Measurement System Components.

6.2.1 Sample Probe. A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.

6.2.2 Sample Line. Non-reactive tubing to transport the effluent from the sample probe to the EC cell.

6.2.3 Calibration Assembly (optional). A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.

6.2.4 Particulate Filter (optional). Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.

6.2.5 Sample Pump. A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.

6.2.8 Sample Flow Rate Monitoring. An adjustable rotameter or equivalent device used to adjust and maintain the sample flow rate through the analyzer as prescribed.

6.2.9 Sample Gas Manifold (optional). A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.

6.2.10 EC cell. A device containing one or more EC cells to determine the CO and O_2 concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.

6.2.11 Data Recorder. A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O_2; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.

6.2.12 Interference Gas Filter or Scrubber. A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

7.0 Reagents and Standards. What calibration gases are needed?

7.1 Calibration Gases. CO calibration gases for the EC cell must be CO in nitrogen or CO in a mixture of nitrogen and O_2. Use CO calibration gases with labeled concentration values certified by the manufacturer to be within ±5 percent of the label value. Dry ambient air (20.9 percent O_2) is acceptable for calibration of the O_2 cell. If needed, any lower percentage O_2 calibration gas must be a mixture of O_2 in nitrogen.

7.1.1 Up-Scale CO Calibration Gas Concentration. Choose one or more up-scale gas concentrations such that the average of the stack gas measurements for each stack gas sampling run are between 25 and 150 percent of those concentrations. Alternatively, choose an up-scale gas that does not exceed twice the concentration of the applicable outlet standard. If a measured gas value exceeds 150 percent of the up-scale CO calibration gas value at any time during the stack gas sampling run, the run must be discarded and repeated.

7.1.2 Up-Scale O_2 Calibration Gas Concentration.

Select an O_2 gas concentration such that the difference between the gas concentration and the average stack gas measurement or reading for each sample run is less than 15 percent O_2. When the average exhaust gas O_2 readings are above 6 percent, you may use dry ambient air (20.9 percent O_2) for the up-scale O_2 calibration gas.

7.1.3 Zero Gas. Use an inert gas that contains less than 0.25 percent of the up-scale CO calibration gas concentration. You may use dry air that is free from ambient CO and other combustion gas products (e.g., CO_2).

8.0 Sample Collection and Analysis

8.1 Selection of Sampling Sites.

8.1.1 Control Device Inlet. Select a sampling site sufficiently downstream of the engine so that the combustion gases should be well mixed. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

8.1.2 Exhaust Gas Outlet. Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction or recirculation take-off) and at least one-half stack diameter upstream of the gas discharge to the atmosphere. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

8.2 Stack Gas Collection and Analysis. Prior to the first stack gas sampling run, conduct that the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the "sample conditioning phase" once per minute until constant readings are obtained. Then begin the "measurement data phase" and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the "measurement data phase" readings to calculate the average stack gas CO and O_2 concentrations.

8.3 EC Cell Rate. Maintain the EC cell sample flow rate so that it does not vary by more than ±10 percent throughout the pre-sampling calibration, stack gas sampling and post-sampling calibration check. Alternatively, the EC cell sample flow rate can be maintained within a tolerance range that does not affect the gas concentration readings by more than ±3 percent, as instructed by the EC cell manufacturer.

9.0 QUALITY CONTROL (RESERVED)

10.0 CALIBRATION AND STANDARDIZATION

10.1 Pre-Sampling Calibration. Conduct the following protocol once for each nominal range to be used on each EC cell before performing a stack gas sampling run on each field sampling day. Repeat the calibration if you replace an EC cell before completing all of the sampling runs. There is no prescribed order for calibration of the EC cells; however, each cell must complete the measurement data phase during calibration. Assemble the measurement system by following the manufacturer's recommended protocols including for preparing and preconditioning the EC cell. Assure the measurement system has no leaks and verify the gas scrubbing agent is not depleted. Use Figure 1 to record all data.

10.1.1 Zero Calibration. For both the O_2 and CO cells, introduce zero gas to the measurement system (e.g., at the calibration assembly) and record the concentration reading every minute until readings are constant for at least two consecutive minutes. Include the time and sample flow rate. Repeat the steps in this section at least once to verify the zero calibration for each component gas.

10.1.2 Zero Calibration Tolerance. For each zero gas introduction, the zero level output must be less than or equal to ±3 percent of the up-scale gas value or ±1 ppm, whichever is less restrictive, for the CO channel and less than or equal to ±0.3 percent O_2 for the O_2 channel.

10.1.3 Up-Scale Calibration. Individually introduce each calibration gas to the measurement system (e.g., at the calibration assembly) and record the start time. Record all EC cell output responses and the flow rate during this "sample conditioning phase" once per minute until readings are constant for at least two minutes. Then begin the "measurement data phase" and record readings every 15 seconds for a total of two minutes, or as otherwise required. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until readings are constant for at least two consecutive minutes. Then repeat the steps in this section at least once to verify the calibration for each component gas. Introduce all gases to flow through the entire sample handling system (i.e., at the exit end of the sampling probe or the calibration assembly).

10.1.4 Up-Scale Calibration Error. The mean of the difference of the "measurement data phase" readings from the reported standard gas value must be less than or equal to ±5 percent or ±1 ppm for CO or ±0.5 percent O_2, whichever is less restrictive, respectively. The maximum allowable deviation from the mean measured value of any single "measurement data phase" reading must be less than or equal to ±2 percent or ±1 ppm for CO or ±0.5 percent O_2, whichever is less restrictive, respectively.

10.2 Post-Sampling Calibration Check. Conduct a stack gas post-sampling calibration check after the stack gas sampling run or set of runs and within 12 hours of the initial calibration. Conduct up-scale and zero calibration checks

using the protocol in Section 10.1. Make no changes to the sampling system or EC cell calibration until all post-sampling calibration checks have been recorded. If either the zero or up-scale calibration error exceeds the respective specification in Sections 10.1.2 and 10.1.4 then all measurement data collected since the previous successful calibrations are invalid and re-calibration and re-sampling are required. If the sampling system is disassembled or the EC cell calibration is adjusted, repeat the calibration check before conducting the next analyzer sampling run.

11.0 ANALYTICAL PROCEDURE

The analytical procedure is fully discussed in Section 8.

12.0 CALCULATIONS AND DATA ANALYSIS

Determine the CO and O_2 concentrations for each stack gas sampling run by calculating the mean gas concentrations of the data recorded during the “measurement data phase”.

13.0 PROTOCOL PERFORMANCE

Use the following protocols to verify consistent analyzer performance during each field sampling day.

13.1 Measurement Data Phase Performance Check. Calculate the mean of the readings from the “measurement data phase”. The maximum allowable deviation from the mean for each of the individual readings is ±2 percent, or ±1 ppm, whichever is less restrictive. Record the mean value and maximum deviation for each gas monitored. Data must conform to Section 10.1.4. The EC cell flow rate must conform to the specification in Section 8.3.

Example: A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than ±2 percent *or* ±1 ppm (the default criteria). For example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed).

13.2 Interference Check. Before the initial use of the EC cell and interference gas scrubber in the field, and semi-annually thereafter, challenge the interference gas scrubber with NO and NO_2 gas standards that are generally recognized as representative of diesel-fueled engine NO and NO_2 emission values. Record the responses displayed by the CO EC cell and other pertinent data on Figure 1 or a similar form.

13.2.1 Interference Response. The combined NO and NO_2 interference response should be less than or equal to ±5 percent of the up-scale CO calibration gas concentration.

13.3 Repeatability Check. Conduct the following check once for each nominal range that is to be used on the CO EC cell within 5 days prior to each field sampling program. If a field sampling program lasts longer than 5 days, repeat this check every 5 days. Immediately repeat the check if the EC cell is replaced or if the EC cell is exposed to gas concentrations greater than 150 percent of the highest up-scale gas concentration.

13.3.1 Repeatability Check Procedure. Perform a complete EC cell sampling run (all three phases) by introducing the CO calibration gas to the measurement system and record the response. Follow Section 10.1.3. Use Figure 1 to record all data. Repeat the run three times for a total of four complete runs. During the four repeatability check runs, do not adjust the system except where necessary to achieve the correct calibration gas flow rate at the analyzer.

13.3.2 Repeatability Check Calculations. Determine the highest and lowest average “measurement data phase” CO concentrations from the four repeatability check runs and record the results on Figure 1 or a similar form. The absolute value of the difference between the maximum and minimum average values recorded must not vary more than ±3 percent or ±1 ppm of the up-scale gas value, whichever is less restrictive.

14.0 POLLUTION PREVENTION (RESERVED)

15.0 WASTE MANAGEMENT (RESERVED)

16.0 ALTERNATIVE PROCEDURES (RESERVED)

17.0 REFERENCES

(1) "Development of an Electrochemical Cell Emission Analyzer Test Protocol", Topical Report, Phil Juneau, Emission Monitoring, Inc., July 1997.

(2) "Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers, and Process Heaters Using Portable Analyzers", EMC Conditional Test Protocol 30 (CTM-30), Gas Research Institute Protocol GRI-96/0008, Revision 7, October 13, 1997.

(3) "ICAC Test Protocol for Periodic Monitoring", EMC Conditional Test Protocol 34 (CTM-034), The Institute of Clean Air Companies, September 8, 1999.

(4) "Code of Federal Regulations", Protection of Environment, 40 CFR, Part 60, Appendix A, Methods 1-4; 10.

TABLE 1: APPENDIX A—SAMPLING RUN DATA.

Facility_____ Engine I.D._____ Date_____											
Run Type:	(_)		(_)		(_)		(_)				
(X)	Pre-Sample Calibration		Stack Gas Sample		Post-Sample Cal. Check		Repeatability Check				
Run #	1	1	2	2	3	3	4	4	Time	Scrub. OK	Flow- Rate
Gas	O_2	CO	O_2	CO	O_2	CO	O_2	CO			
Sample Cond. Phase											
″											
″											
″											
″											
Measurement Data Phase											
″											
″											
″											
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″											

Facility_____ Engine I.D._____ Date_____											
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″											
Mean											
Refresh Phase											
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[78 FR 6721, Jan. 30, 2013]

Indiana Department of Environmental Management
Office of Air Quality

Addendum to the Technical Support Document (ATSD) for a New Source Construction and Part 70 Operating Permit

Source Background and Description

Source Name:	**Hatchworks LLC**
Source Location:	**7510 Zodiac Way, Fort Wayne, IN 46816**
County:	**Allen**
SIC Code:	**7374 (Computer Processing and Data Preparation and Processing Services)**
Operation Permit No.:	**NSC/T003-47378-00530**
Permit Reviewer:	**Omar El-Rjoob**

On April 18, 2024, the Office of Air Quality (OAQ) had a notice posted on IDEM's website (https://www.in.gov/idem/public-notices/), stating that Hatchworks LLC had applied for a New source Construction and Part 70 operating permit, relating to construction and operations of a stationary data center. The notice also stated that the OAQ proposed to issue a Part 70 for this operation and provided information on how the public could review the proposed permits 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 these permits should be issued as proposed.

On June 14, 2024, OAQ also posted a notice on IDEM's website (https://www.in.gov/idem/public-notices/), stating that IDEM, OAQ would hold a public meeting on July 1, 2024, to discuss the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC. The notice provided information on how the public could attend the public meeting, provided information for citizens that needed reasonable accommodations to participate in this event, including accommodations for persons with speech or hearing difficulties, and how the public could review and provide comments on the proposed permits and other documentation. Finally, the notice informed interested parties that the public notice period would end on July 8, 2024.

On July 1, 2024, IDEM, OAQ conducted a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC.

IDEM, OAQ thanks all of the commenters and attendees at the public meeting for their interest in the proposed permits and their participation in the permit review process.

The Technical Support Document (TSD) is used by IDEM, OAQ for historical purposes. IDEM, OAQ does not make any changes to the original TSD, but the permit will have the updated changes. The comments and revised permit language are provided below with deleted language as ~~strikeouts~~ and new language **bolded**.

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Section **Page**

General Statement 1 – Public Participation and Environmental Justice

Some commenters expressed concerns regarding public participation and environmental justice with respect to the proposed permit. Some commenters requested that IDEM, OAQ conduct an environmental justice analysis for this source.

IDEM Response to General Statement 1 – Public Participation and Environmental Justice

The Indiana Department of Environmental Management, Office of Air Quality (IDEM, OAQ) acknowledges that some commenters have concerns regarding public participation and environmental justice with respect to the proposed permit.

As stated on EPA's Environmental Justice website[1], environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys:

> The same degree of protection from environmental and health hazards, and Equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

As stated on U.S. EPA's Title VI and Environmental Justice website[2], and in accordance with Title VI of the Civil Rights Act of 1964[3], each Federal agency shall ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin.

I. IDEM Obligations Under Title VI

Title VI of the Civil Rights Act of 1964, prohibits discrimination based on race, color, or national origin in state agency programs that receive federal funding. EPA issued regulations to implement Title VI, codified at 40 C.F.R. section 7.10, *et seq.* The regulations apply to all applicants for, and recipients of, EPA assistance in the operation of programs or activities receiving such assistance as of February 13, 1984.[4] A recipient as defined by the regulations includes IDEM.[5] The regulations state that no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving EPA assistance on the

1 https://www.epa.gov/environmentaljustice
2 https://www.epa.gov/environmentaljustice/title-vi-and-environmental-justice
3 42 U.S.C. § 2000d, *et seq*
4 40 C.F.R. § 7.10, *et seq.*
5 40 C.F.R. § 7.25

basis of race, color, national origin, or on the basis of sex in any program or activity receiving EPA assistance under the Federal Water Pollution Control Act, as amended, including the Environmental Financing Act of 1972.[6] The regulations also include specific prohibitions:

(a) As to any program or activity receiving EPA assistance, a recipient shall not directly or through contractual, licensing, or other arrangements on the basis of race, color, national origin or, if applicable, sex:

(1) Deny a person any service, aid or other benefit of the program or activity;

(2) Provide a person any service, aid or other benefit that is different, or is provided differently from that provided to others under the program or activity;

(3) Restrict a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, aid, or benefit provided by the program or activity;

(4) Subject a person to segregation in any manner or separate treatment in any way related to receiving services or benefits under the program or activity;

(5) Deny a person or any group of persons the opportunity to participate as members of any planning or advisory body which is an integral part of the program or activity, such as a local sanitation board or sewer authority;

(6) Discriminate in employment on the basis of sex in any program or activity subject to section 13, or on the basis of race, color, or national origin in any program or activity whose purpose is to create employment; or, by means of employment discrimination, deny intended beneficiaries the benefits of EPA assistance, or subject the beneficiaries to prohibited discrimination.

(7) In administering a program or activity receiving Federal financial assistance in which the recipient has previously discriminated on the basis of race, color, sex, or national origin, the recipient shall take affirmative action to provide remedies to those who have been injured by the discrimination.

(b) A recipient shall not use criteria or methods of administering its program or activity which have the effect of subjecting individuals to discrimination because of their race, color, national origin, or sex, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity with respect to individuals of a particular race, color, national origin, or sex.

(c) A recipient shall not choose a site or location of a facility that has the purpose or effect of excluding individuals from, denying them the benefits of, or subjecting them to discrimination under any program or activity to which this part applies on the grounds of race, color, or national origin or

6 40 C.F.R. § 7.30

sex; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of this subpart.

(d) The specific prohibitions of discrimination enumerated above do not limit the general prohibition of § 7.30.[7]

There is no doubt that the above regulations and Title VI prohibitions apply to permitting programs administered by recipients, such as IDEM.[8]

II. IDEM Actions Taken to Prevent Against Discrimination

IDEM's mission is to implement federal and state regulations to protect human health and the environment while allowing the environmentally sound operations of industrial, agricultural, commercial, and governmental activities vital to a prosperous economy.

The Indiana air permitting requirements that are applicable to this source are part of the state implementation plan (SIP) that is approved by EPA. Environmental laws are enacted by the Indiana legislature and the legislature has delegated rulemaking authority to the Indiana Environmental Rules Board (ERB)[9]. IDEM, OAQ has no authority to create any permit limits or measures that exceed what is legally required for a regulated source. Nothing in the criteria, methods, or practices of IDEM, OAQ discriminate based on race, color, or national origin. Permit decisions made by IDEM, OAQ are based on the ability of a source to comply with air permit requirements and applicable state and federal air quality rules and regulations that are in place to protect human health and the environment.

A. IDEM's Nondiscrimination Policy and Environmental Stakeholder Inclusion Program

As part of IDEM's Nondiscrimination Policy, A-008-AW-18-P-R5, the agency adopted the concept of Environmental Stakeholder Inclusion (ESI) for the fair treatment and meaningful involvement of all people regardless of race, color, gender, national origin, geographic location, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies[10].

An environmental stakeholder is a person with an interest or concern in environmental activities. The intent of IDEM's ESI program is to ensure that interested stakeholders are included and represented in agency actions, as outlined in the agency's Nondiscrimination Policy. Within IDEM, the environmental stakeholder inclusion coordinator works with the agency's program areas to enhance environmental stakeholder involvement in the regulatory processes administered by the agency[11].

B. Public Participation in Permitting Process

IDEM, OAQ encourages the public to participate in the rulemaking and permitting processes. IDEM, OAQ issues notices to the public when citizen participation is required or sought concerning agency actions. Examples include projects requiring an

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7 40 C.F.R. § 7.35
8 40 C.F.R. § 7.35(c); *see also S. Camden Citizens in Action v. N.J. Dep't of Envtl. Prot.,* 145 F. Supp. 2d 446, 476 (D. N.J. 2001)
9 More information about the rulemaking process is available at https://www.in.gov/idem/legal/rulemaking/ on IDEM's Website.
10 IDEM's Nondiscrimination Policy can be found at the following website: https://www.in.gov/idem/health/files/idem_policy_A-008-AW-18-P-R5.pdf
11 Additional information on the IDEM's Environmental Stakeholder Inclusion program can be found at the following website: https://www.in.gov/idem/health/esi/

environmental permit, rules being considered by the ERB, and environmental studies or reports available for public comment[12].

To further IDEM, OAQ's commitment to the fair, equitable, and transparent implementation of its Title VI obligations and interactions with the public, IDEM, OAQ implemented the following recommended best practices identified in U.S. EPA's "Plan EJ 2014" (September 2011)[13] document under section entitled "Considering Environmental Justice in Permitting":

- Public notifications outside of newspapers.
- Direct and targeted outreach to community organizations and institutions.
- Making documents physically accessible and free to communities.
- Scheduling meetings during non-working hours.
- Permit process descriptions of when, where, and how the public can get involved.

IDEM, OAQ also maintains a searchable electronic database for all air permits and permit applications. This database also includes the deadlines for public comments and the schedule of public meetings and/or public hearings. IDEM also maintains a searchable electronic database for public access to digital copies of documents through IDEM's Virtual File Cabinet (VFC).

B. Public Participation in Permitting Process for Hatchworks:

Below is summary of the public involvement and communication for this permitting action:

(1) A copy of the New Source Construction and Part 70 Operating Permit application and the draft New Source Construction and Part 70 Operating Permit were physically accessible and free to communities, as follows:

- A copy of the permit application and the draft New Source Construction and Part 70 Operating Permit were sent to the Allen County Public Library-Hessen Cassel Branch Library, 3030 E Paulding Rd, Fort Waine, IN 46816 for public review.

- An electronic copy of the draft New Source Construction and Part 70 Operating Permit were made available for public review or download on the Internet at: http://www.in.gov/ai/appfiles/idem-caats/

- An electronic copy of the permit application and draft New Source Construction and Part 70 Operating Permit were also made available via IDEM's Virtual File Cabinet (VFC) for public review or download on the Internet at: https://vfc.idem.in.gov/DocumentSearch.aspx.

(2) On April 18, 2024, the Office of Air Quality (OAQ) had a notice posted on IDEM's website (https://www.in.gov/idem/public-notices/), stating that Hatchworks LLC had applied for Part 70 operating permit, relating to construction and operations of a stationary data center. The notice also stated that the OAQ proposed to issue a Part 70 for this operation and provided information on how the public could review the proposed permits and other documentation. Finally, the notice informed

12 Additional information about public participation in agency actions can be found in the Citizens' Guide to IDEM, which can be found on the following website: https://www.in.gov/idem/resources/citizens-guide-to-idem/

13 https://nepis.epa.gov/Exe/ZyPDF.cgi/P100DFCQ.PDF?Dockey=P100DFCQ.PDF

interested parties that there was a period of thirty (30) days to provide comments on whether or not these permits should be issued as proposed.

(3) On June 14, 2024, OAQ also posted a notice on IDEM's website (https://www.in.gov/idem/public-notices/), stating that IDEM, OAQ would hold a public meeting on July 1, 2024, to discuss the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC. The notice provided information on how the public could attend the public meeting, provided information for citizens that needed reasonable accommodations to participate in this event, including accommodations for persons with speech or hearing difficulties, and how the public could review and provide comments on the proposed permits and other documentation. Finally, the notice informed interested parties that the public notice period would end on July 8, 2024.

- IDEM, OAQ sent the above notifications to all persons and entities (e.g., consultants, companies/corporations, groups, organizations, etc.) on the interested parties mailing list who had requested in writing to be on the list. The interested parties list included 351 persons and entities, including The Journal Gazette newspaper.

- IDEM, OAQ also sent the above notifications to the following local government officials:

  (1) Fort Wayne City Council and Mayors
  (2) Allen County Board of Commissioners
  (3) Fort Wayne-Allen County Health Department

- Information regarding the public meeting was posted to the IDEM Calendar Events website (https://events.in.gov/idem).

- IDEM typically posts a weekly submission to its X site (formerly known as Twitter) (https://twitter.com/idemnews), Facebook site (https://www.facebook.com/IndDEM), Instagram site (https://www.instagram.com/idemnews), and LinkedIn site (https://www.linkedin.com/company/inddem) indicating the number of new or updated IDEM public notices that have been posted to its website in the last week and providing a link for the public to view public notices and to sign up for IDEM public notice notifications (https://www.in.gov/idem/public-notices/)

- On July 1, 2024, at 6:00 p.m. Eastern Time, IDEM, OAQ began a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC. The public meeting was concluded at 7:30 p.m. Eastern Time. During the public meeting, IDEM staff discussed the draft air permit and answered questions from citizens. The public meeting provided the public with an opportunity to submit written comments, ask questions, and discuss air pollution concerns with IDEM staff.

All written comments submitted to IDEM, OAQ during the public comment period and all verbal statements received during the public meeting were reviewed and detailed responses to those comments and statements are provided in this Addendum to the Technical Support Document (ATSD) and associated appendices.

IDEM, OAQ believes that it has taken all reasonable steps to ensure that all persons, regardless of race, color, or national origin or sex, have had a full and fair opportunity to participate in this permitting decision. Additionally, IDEM, OAQ believes that it has complied with the requirements of Title VI and EPA's implementing regulations. This is

evidenced by the significant public participation throughout all stages of this permitting process.

IDEM, OAQ recognizes and understands the concerns expressed through public comments and during the public meeting regarding environmental justice concerns. A review of EPA EJ Screen shows that the area within a 5-mile radius of the Hatchworks LLC site generally falls between the 63rd and 90th percentile (in Indiana) for the environmental indexes examined by the EJ Screen tool and generally falls between the 42nd and 92nd percentile (in Indiana) for the socioeconomic indexes examined by the EJ Screen tool. However, IDEM, OAQ cannot resolve the historical issues that lead to the development of the area through an individual permitting decision. IDEM, OAQ believes that these concerns can be balanced with IDEM, OAQ's commitment to public involvement in the permitting process to ensure all people have an equitable opportunity to participate in the permitting decision, as well as IDEM, OAQ's obligation to regulate emissions and enforce permit conditions. The proposed permit contains all health-based and technology-based standards established by EPA and the ERB, which will limit the amount of air pollution emissions from the facility in accordance with all applicable requirements. These conditions work in conjunction to protect human health and the environment. Additionally, please see IDEM Response to General Statement 2 for a detailed discussion of the relevant National Ambient Air Quality Standards for this permit and area. IDEM, OAQ believes that these enforceable limits are sufficient to protect public health and the environment.

General Statement 2 – Impact to the Environment and Public Health

Some commenters expressed concerns regarding the negative impact of the proposed source with respect to the environment and public health within the community.

IDEM Response to General Statement 2 – Impact to the Environment and Public Health

IDEM's Mission Goal and Authority

IDEM's mission is to implement federal and state regulations to protect human health and the environment while allowing for environmentally sound operations of industrial, agricultural, commercial, and government activities vital to a prosperous economy.

Indiana Department of Environmental Management, Office of Air Quality (IDEM, OAQ) issues air pollution permits to facilities that emit regulated levels of pollutants to the air. Permits require sources to comply with all health-based and technology-based standards established by the U.S. Environmental Protection Agency (EPA) and the Indiana Environmental Rules Board. Permit decisions made by IDEM, OAQ are based on the ability of a source to comply with air permit requirements and applicable state and federal air quality rules and regulations.

326 IAC 2-1.1-8 requires that IDEM approve or deny an application received by the department.

The proposed permit contains all health-based and technology-based standards established by the U.S. EPA and the Indiana Environmental Rules Board (ERB), which will limit the amount of air pollution emissions from the facility in accordance with all applicable requirements. Specifically, the permit contains all applicable control device operating requirements, compliance determination requirements, compliance monitoring requirements, and associated record keeping and reporting requirements to assure that all permit limitations are enforceable as a practical matter and to assure that the source can demonstrate compliance with all applicable state and federal rules on a continuous basis. These conditions work in conjunction to protect human health and the environment.

IDEM, OAQ has no authority to create any permit limits or measures that exceed what is legally required for a regulated source.

IDEM, OAQ handles all air permit applications on an objective, consistent, and impartial basis. IDEM, OAQ staff are expected to comply with all applicable state ethics rules and policies. They strive to draft air permit documents and associated calculations/analyses that are thorough, accurate, and that contain all applicable state and federal requirements. All permit limitations are federally enforceable as a practical matter and protective of human health and the environment.

Indiana's air pollution control rules are contained in Title 326 of the Indiana Administrative Code, which is available at http://www.in.gov/legislative/iac/iac_title?iact=326 on the Internet. The Indiana air permitting requirements that are applicable to this source are part of the state implementation plan (SIP) that is approved by EPA. Environmental laws are enacted by the Indiana legislature and the legislature has delegated rulemaking authority to the Indiana Environmental Rules Board (ERB). For information on how to get involved in Indiana's Environmental Rulemaking Process, please go to https://www.in.gov/idem/legal/rulemaking/ on IDEM's website.

The information provided by the applicant in its air permit application indicates that the Permittee will be able to comply with all permit requirements; therefore, IDEM will issue the permit.

National Ambient Air Quality Standards (NAAQS)

IDEM, OAQ relies on the scientific expertise of U.S. EPA which has developed the National Ambient Air Quality Standards (NAAQS) to protect public health and the environment.

The federal Clean Air Act requires the U.S. EPA to set National Ambient Air Quality Standards (NAAQS) for six criteria pollutants. These standards are set at levels that protect human health, including the health of sensitive persons, such as asthmatics, children, and the elderly. The NAAQS are often referred to as the federal health standards for outdoor air. More information about these pollutants is available at https://www.epa.gov/criteria-air-pollutants on U.S. EPA's website. The complete table of the NAAQS can be found at https://www.epa.gov/criteria-air-pollutants/naaqs-table.

The Clean Air Act requires that U.S. EPA conduct periodic review of the most current scientific information to determine if air quality standards are adequate to protect human health and general welfare. This review includes an integrated science assessment which is a comprehensive review of science judgments and risk and exposure assessments. An independent committee, the Clean Air Scientific Advisory Committee (CASAC), reviews all health information and makes recommendations to U.S. EPA on whether current health standards are protective of public health and welfare or should be revised. After any health standard recommendations have been approved and finalized through rulemaking, IDEM is required to follow the new standards. Additional information on the CASAC can be found at the following website: https://casac.epa.gov/.

Ambient Air at Monitoring Stations Around Indiana

IDEM conducts sampling of the ambient air at monitoring stations around Indiana. This air monitoring is conducted to measure whether the NAAQS are being met. Information about Indiana's air monitoring system and monitoring results are available at https://www.in.gov/idem/airmonitoring/. Information about current and expected air pollution levels are on IDEM's SmogWatch site at https://apps.idem.in.gov/smogwatch/Today.aspx on the internet.

The Indiana Department of Environmental Management (IDEM) regulates air quality to protect public health and the environment in the State of Indiana. Air monitoring data are required by

regulation and are used to determine compliance with U.S. EPA's National Ambient Air Quality Standards (NAAQS). Other important uses of the air monitoring data include, the production of a daily Air Quality Index (AQI) report, daily air quality forecast report, support of short and long-term health risk assessments, identification of a localized health concern, and tracking long-term trends in air quality. Indiana monitors the six criteria pollutants which have NAAQS identified for them; carbon monoxide (CO), lead, nitrogen dioxide (NO_2), ground-level ozone (O_3), particulate matter (PM_{10} and $PM_{2.5}$), and sulfur dioxide (SO_2). Other pollutants which do not have ambient standards established for them are also monitored: toxics (volatile organic compounds, VOCs), metals, carbonyls, $PM_{2.5}$ speciated compounds, ozone precursors, and carbon dioxide (CO_2). In addition, meteorological data are also collected to support the monitoring and aid in analysis of the data.

IDEM presents two different types of air quality data, intermittent and continuous, on IDEM's Internet website https://www.in.gov/idem/airmonitoring/. Monthly and annual summary reports of pollutants collected by manual methods are available as well as hourly values from continuous monitors. The Data Management and Display System (DMDS) provides on-line access to Indiana's continuous air quality monitoring data. It has been available to the public since July 2007. DMDS offers access to near real-time data from active air monitoring sites across Indiana. This allows anyone to track pollutant and meteorological values throughout the day. In addition, past data back to 1998 are available as raw data and canned summary reports or user specified retrievals. Site information with site photographs can be found at the following website: https://www.in.gov/idem/airmonitoring/air-quality-data/

IDEM issues Air Quality Action Day (AQAD) advisories on days when ground level ozone pollution or fine particulate matter ($PM_{2.5}$) could build to unhealthy levels in the outdoor air. IDEM issues AQAD advisories based on air quality forecasts, air quality standards, and Air Quality Index (AQI) categories. Typical conditions for ozone AQADs in Indiana are high temperatures approaching 80° Fahrenheit or above, clear skies, dry atmosphere, calm to light southerly winds, very little air mixing, high NOx values the previous night, and/or persistent high pressure over the eastern Midwest states and East Coast. Typical conditions for $PM_{2.5}$ AQADs in Indiana are temperature inversions, light winds, clear skies, persistent high pressure, high humidity values, transport from high $PM_{2.5}$ locations (such as wildfires), and/or warm and humid air over snow cover during the winter. When AQADs are predicted, Hoosiers can take action to protect their health and protect air quality. For additional information on AQAD advisories and actions to take during AQAD advisories, please see the following website: https://www.in.gov/idem/airquality/air-quality-action-day-aqad-advisories/

The Air Quality Index (AQI) is a health index which combines the evaluation of various air pollutants in order to provide an easily understood measure of air quality. The AQI focuses on health effects that can occur within a few hours or days after breathing polluted air. Air monitoring data are used to issue health alerts to warn the public of elevated pollution levels. The index provides a scale to which air quality is compared and indicates the associated health effects of concern. IDEM issues health alerts for high air pollutant levels based on the AQI. The AQI uses index numbers, health effect levels, and colors to communicate the health levels. The higher the AQI value, the greater the level of air pollution and the greater the chance of health impacts. For example, an AQI value of 50 represents good air quality and little potential to affect public health, while an AQI value over 300 represents hazardous air quality that could cause health effects. An AQI value of 100 generally corresponds to the National Ambient Air Quality Standard (NAAQS) for the pollutant, which is the level the United States Environmental Protection Agency (U.S. EPA) has set to protect public health. AQI values below 100 are generally regarded as satisfactory. When AQI values are above 100, air quality is considered to be unhealthy, first for certain sensitive groups of people, then for everyone as AQI values get higher. The Air Quality Index (AQI) for pollutants including ozone and particulate matter (PM) can be found at the following website: https://www.in.gov/idem/airmonitoring/air-quality-data/.

Extensive information about Indiana's air monitoring system and monitoring results is available at https://www.in.gov/idem/airmonitoring/ on IDEM's website.

SmogWatch is an informational tool created by IDEM to share current air quality and air quality forecasts for each day. SmogWatch provides daily information about ground-level ozone and particulate matter air quality forecasts, health information, and monitoring data for eight regions of Indiana. Current air quality and air quality forecasts for each day are available at https://apps.idem.in.gov/smogwatch/Current.aspx.

Ambient Air Monitoring Network Plan and Public Participation

In October 2006, United States Environmental Protection Agency (U.S. EPA) issued final regulations concerning state and local agency ambient air monitoring networks. These regulations in 40 Code of Federal Regulations 58, Subpart B (40 CFR 58.10), require states to submit an annual monitoring network review to U.S. EPA. This network plan is required to provide the framework for establishment and maintenance of an air quality surveillance system and to list any changes that are proposed to take place to the current network. Indiana's current Ambient Air Monitoring Network Plan is available at https://www.in.gov/idem/airmonitoring/indianas-ambient-air-monitoring-network/ on IDEM's website.

Locations of the monitors are reviewed annually pursuant to 40 CFR 58.10 and are subject to public comment. IDEM is required to develop and submit an annual monitoring network plan to U.S. EPA that details the current air quality surveillance system and proposed changes for the coming year. IDEM must release the proposed plan to the public for inspection for 30 days prior to submission to U.S. EPA by July 1. IDEM posts the proposed plan on IDEM's website (https://www.in.gov/idem/airmonitoring/indianas-ambient-air-monitoring-network/) when it becomes available. Information on how to submit comments is located in Appendix A of the plan. IDEM, OAQ will evaluate comments and requests on monitoring locations and act if any changes are necessary to meet the monitoring goals and monitoring projects across the state. IDEM's contact for the monitoring plan may be contacted by U.S. Mail: IDEM/OAQ/AMB, 100 North Senate Avenue, Shadeland, Indianapolis, IN 46204-2251, by FAX at 317-308-3239.

Ambient Air Monitors Near Fort Wayne, IN

The following table summarizes the IDEM air pollution monitors that are located near Fort Wayne, Indiana:

County	City	Monitor Site Name	Site Address	Air Pollutants Monitored
Allen	Leo	Leo High School	Leo High School 14600 Amstutz Rd Fort Wayne, IN	Ozone (O_3)
Allen	Fort Wayne	Fort Wayne – Coliseum Blvd	707 N. Coliseum Blvd Fort Wayne, IN	Ozone (O_3), $PM_{2.5}$
Whitley	Larwill	Larwill	Whitko Middle School 710 N. State Rd. 5 Larwill, IN	Carbon Monoxide (CO), Carbon Dioxide (CO_2), $PM_{2.5}$

General Statement 3 – Compliance Inspections and Possible Future Violations

Some commenters expressed concern regarding possible future violations and what penalties there would be for violating a permit term.

IDEM Response to General Statement 3 – Compliance Inspections and Possible Future Violations

Possible Future Violations

IDEM, OAQ understands that some commenters have concern that the source could have possible future violations of environmental law. However, Indiana court cases have held that an initial permit cannot be denied due to an allegation of possible future violations of environmental law. *See* Talara Lykins – CAFO, 2007 OEA 114, DeGroot Dairy CFO, 2006 OEA 1, Kyle Hall, 2008 OEA 100, which can be found at the following website: https://www.in.gov/oea/decisions/

The information provided by the applicant in its air permit application indicates that the Permittee will be able to comply with all permit requirements; therefore, IDEM will issue the permit.

Hatchworks LLC is required to comply with all air permit requirements and applicable state and federal air quality rules and regulations. If it is determined that Hatchworks LLC has violated a permit term or condition, IDEM, OAQ will take appropriate action to bring the source back into compliance with applicable permit conditions, state rules, and federal regulations.

Compliance Inspections

IDEM, OAQ and U.S. EPA inspections are generally unannounced inspections. IDEM, OAQ normally inspects major sources on an annual basis, consistent with EPA's Clean Air Act Stationary Source Compliance Monitoring Strategy. IDEM, OAQ may make additional inspections on a case-by-case basis based on a number of factors including public complaints received. During an inspection, the IDEM, OAQ inspector will perform a records review, review operations and maintenance (O&M) plans, operation maintenance and monitoring (OMM) plans, preventative maintenance plans (PMPs), operating logs, inspect and review compliance monitoring, and inspect the facility operations and process parameters to determine if the source is in compliance with all air permit terms and conditions. Regular inspections, regular stack testing, along with compliance monitoring, record keeping and reporting, allow IDEM, OAQ to determine if Hatchworks LLC is in continuous compliance with all air permit terms and conditions. If it is determined that the source has violated a permit term or condition, IDEM, OAQ will take appropriate action to bring the source back into compliance with applicable permit conditions, state rules, and federal regulations.

IDEM uses a number of enforcement tools to bring sources that are out of compliance with a permit term or condition back into compliance. If it is determined that a source has violated a permit term or condition, IDEM, OAQ will take appropriate action to bring the source back into compliance with applicable permit conditions, state rules, and federal regulations. Most violations of environmental laws are resolved informally. As part of the informal resolution, a "warning letter" or "violation letter" is sent, noting the violation and measures necessary to correct it in order to ensure the responsible party corrects the documented problem. Certain violations are referred directly to formal administrative enforcement and may receive a Notice of Violation (NOV). An NOV normally results in the assessment of civil penalties and the requirement that IDEM and the respondent sign an Agreed Order (AO). The AO ensures that the respondent achieves and maintains compliance with Indiana's environmental statutes and rules. Any civil penalties accessed as a result of a Notice of Violation (NOV) issued by IDEM, OAQ are determined based on Indiana Code 13-30 and IDEM's Nonrule Policy Document (NPD) "Civil Penalty Policy" (ENFORCEMENT-99-0002-NPD available at https://www.in.gov/idem/files/nrpd_enf-002.pdf on IDEM's website. Pursuant to IC 4-22-2-19.6, IDEM's Civil Penalty Policy will be adopted into a rule through an agency rule making.

Submitting Complaints

IDEM, OAQ encourages residents to contact IDEM, OAQ if they witness or have evidence of any compliance related concerns with this operation. An IDEM, OAQ compliance inspector will

investigate complaints, perform any necessary observations or inspections of the source, determine if a violation of a permit term or condition has occurred, take appropriate action when a violation is observed, and initiate any necessary actions to bring the source back into compliance with applicable permit conditions and state and federal rules and regulations.

If a commenter or citizen has complaints and issues with the source with respect to compliance with its air permit, complaints can be submitted to IDEM three (3) different ways:

1. Online at: https://www.in.gov/idem/contact/file-a-complaint/;
2. Through the Complaint Coordinator at (800) 451-6027 ext. 24464; or
3. By printing, completing, and mailing a paper-based Complaint Submission Form (Available under Agency Forms at: https://www.in.gov/idem/forms/idem-agency-forms/).

The current compliance inspector for each county in Indiana can be found at the following website: https://www.in.gov/idem/idem-regional-staff-and-inspectors/.

General Statement 4 – Cooling Towers

Some commenters expressed concerns regarding cooling tower air pollution emissions.

IDEM Response to General Statement 4 – Cooling Towers

Cooling Tower Overview

Cooling towers are used in a wide range of industrial applications to dissipate waste heat to the environment. Industrial facilities, including many data centers, use water for cooling, usually through a process called evaporative cooling.

Typically, a cooling tower process involves circulating water obtained from the local municipal water utility through the data center cooling infrastructure. The warmed water will then pass through the on-site cooling towers where a portion of the water will evaporate, and the remainder of the water will be recirculated through the system. The evaporated water is replaced with fresh water from the municipality. As cooling water evaporates, the salts and minerals (called total dissolved solids (TDS)) contained in the circulating water become concentrated. While a vast majority of spray water is recycled within the cooling tower system, a small fraction of the water escapes from the top of the cooling tower as spray drift and evaporated water vapor. Spray drift and water vapor can sometimes be observed leaving a cooling tower as condensed water vapor when it comes in contact with cooler ambient air. This condensed water vapor can be visible to the human eye, but it is not considered opacity under Indiana Administrative Code 326 IAC 5-1 (Opacity Limitations). After exiting the cooling tower, the water from the spray drift droplets evaporates leaving behind any material dissolved in the spray drift water. These remnants form particulate matter (PM), a mixture of minute solid particles and liquid droplets, between 10 micrometers (PM_{10}) and 2.5 ($PM_{2.5}$) micrometers in diameter.

A portion of the circulating water, called blowdown, is removed and replaced with fresh municipal water to maintain the proper circulating water TDS level. This cooling tower blowdown water will be sent back to the local water treatment facility for processing.

The maximum water usage for proposed Hatchworks LLC data center will be 6,000 gallons per minute per cooling tower; however actual water usage will depend on several factors such as ambient conditions and heat load to the system.

As needed, cooling towers will provide cooling capacity to the data center equipment (such as information technology systems like servers). The cooling towers are not associated with the operations of the emergency diesel generators.

Cooling Tower Source Water

The water for the proposed Hatchworks LLC data center cooling towers will be obtained from the Fort Wayne City Utilities Three Rivers Water Filtration Plant (hereafter referred to as the "drinking water plant"). The 2024 Annual Drinking Water Quality Report (based on drinking water data from 2023) for the water plant can be found at the following website: https://utilities.cityoffortwayne.org/drinking-water/water-quality. As discussed in the drinking water plant's 2024 report, drinking water may reasonably be expected to contain at least small amounts of some contaminants.

The report contains information regarding additives added at the water at the drinking water plant prior to distribution for public consumption.

Additional information on Fort Wayne City Utilities drinking water can be found at the following website: https://utilities.cityoffortwayne.org/drinking-water/water-quality.

Fluorosilicic acid (also known as hexafluorosilicic acid) is the most commonly used additive for fluoridation of drinking water in the United States. When fluorosilicic acid is added to drinking water at a water plant, the acid readily hydrolyzes to fluoride anions and amorphous, hydrated silica (SiO_2). The final fluoridated drinking water produced by water plants is not acidic or caustic and typically has a pH within the range of 6.5 to 8.5. Hydrofluoric acid can be created when fluoride containing compounds react with acidic compounds. Hatchworks will not be adding fluoride to the supplied water, nor is the supplied water acidic.

With respect to any previous or future chemical mishaps at the Fort Wayne City Utilities Three Rivers Water Filtration Plant, IDEM, OAQ does not have the authority to evaluate these types of issues as part of the air permit application review process. Previous or future chemical mishaps at the Fort Wayne City Utilities Three Rivers Water Filtration Plant do not impact any applicable requirements in the proposed air permit. Please contact your local emergency management officials and/or the Fort Wayne City Utilities for these concerns.

The drinking water fluoridation and the concentration of fluorides anions (F^-) in drinking water are regulated by IDEM's Office of Water Quality (OWQ).

Fluorides are a regulated air pollutant under Indiana air permitting rules. Pursuant to 326 IAC 2-5.1-3 (Permits), a new source must obtain a construction permit prior to beginning construction of an emissions unit if the potential to emit (PTE) fluorides is equal to or greater than 25 tons per year. IDEM, OAQ has evaluated the PTE of fluorides from the cooling towers and determined the PTE to be below 25 tons per year. See the “Cooling Tower Potential Emissions” section below for detailed information.

Cooling Tower Potential Emissions

Due to the nature of the cooling tower exhaust stream (i.e., presence of moisture droplets), filtering of the exhaust air from the cooling towers is not technologically feasible. To reduce drift loss (and associated particulate matter emissions) from the cooling towers, each proposed cooling tower will be designed with an integral and industry standard drift eliminator.

The potential to emit (PTE) from the proposed Hatchworks LLC data center cooling towers was summarized in the Technical Support Document (TSD) for the draft permit and the PTE calculations were included in Appendix A of TSD. The TSD was part of the permit documents

provided during the public notice period and is available at https://permits.air.idem.in.gov/47378d.pdf on IDEM's website.

In determining the PTE for cooling towers, IDEM, OAQ used U.S. EPA standard emission methodology and assumed the cooling towers operated continuously at maximum capacity for 8760 hours/year.

The combined PTE from the 15 cooling towers is 3.0 tons per year of PM, 2.1 tons per year of PM_{10}, and 1.2 tons per year of $PM_{2.5}$. However, anticipated actual emissions will be lower, because operation of the cooling towers will vary depending on ambient conditions, temperature, and heat load of the data center.

Pursuant to 326 IAC 1-2-52, PM is defined as follows:

> Particulate matter (PM) means any airborne finely divided solid or liquid material, excluding uncombined water, with an aerodynamic diameter smaller than one hundred (100) micrometers.

Pursuant to 326 IAC 1-2-52.4: PM_{10} is defined as follows:

> PM_{10} means any particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers as measured by an applicable reference method specified in 40 CFR Part 50 or by an equivalent or alternative method approved by the commissioner.

Pursuant to 326 IAC 1-2-52.2: $PM_{2.5}$ is defined as follows:

> $PM_{2.5}$ means particulate matter with an aerodynamic diameter less than or equal to a nominal two and five-tenths (2.5) micrometers

The 2024 Annual Drinking Water Quality Report for the Fort Wayne City Utilities Three Rivers Water Filtration Plant provides the highest concentrations of drinking water contaminants detected during 2023. Based on these drinking water contaminant concentrations and the cooling tower drift loss rate of 0.45 gallons/minute, the PTE of air pollutants at 8760 hours/year of operation is summarized in the following table:

Pollutant	Contaminant Concentration (ppb or ug/L)	Potential to Emit (PTE) (tons/year)
Chlorine	2070	2.0E-03
Haloacetic Acids (HAA5)	17.2	1.7E-05
Total Trihalomethanes (TTHM)	20.6	2.0E-05
Fluoride	860	8.5E-04
Chromium	0.9	8.9E-07
Nickel	1.5	1.5E-06
Atrazine	0.24	2.4E-07
2,4-D	1.4	1.4E-06
Metolachlor	0.32	3.2E-07
Dicambia	0.22	2.2E-07
Lead	3.84	3.8E-06
Combined Radium 226/228	1.49	1.5E-06
Gross alpha excluding radon and Uranium	0.298	2.9E-07
Perfluorohexanoic Acid (PFHxA)	0.0017	1.7E-09
Perfluoropentanoic Acid (PFPeA)	0.0057	5.6E-09

Cooling Tower Water Additives at Hatchwork

Cooling water treatment chemicals typically address corrosion, scale, and microbiological growth concerns. Final chemicals to be used to treat cooling tower water at this proposed data center have not been finalized; however Hatchworks has stated there will be no VOC and HAP components in the cooling tower treatment chemicals and thus calculations associated with additives at Hatchworks are not necessary, nor are any regulatory evaluations necessary. Therefore, no monitoring of the cooling tower treatment chemicals is warranted.

General Statement 5 – Alternative Fuels or Processes

Some commenters indicated that hydrogen fuel cells, solar, or wind power should be used to provide power and emergency power to the proposed Hatchworks LLC data center.

IDEM Response to General Statement 5 – Alternative Fuels or Processes

IDEM, OAQ has no authority to regulate what technology or process a company proposes to construct and operate. IDEM, OAQ has no authority to mandate the type of energy a source should use, such as diesel fuel versus hydrogen fuel cells, solar, or wind power. IDEM's authority is to evaluate the proposed project and to assure the proposed permit contains all health-based and technology-based standards established by the U.S. EPA and the Indiana Environmental Rules Board (ERB).

General Statement 6 – Zoning

Several commenters expressed concerns that the proposed Hatchworks LLC data center would be located too close to their home (residential areas) and would result in loss of farmland, woodlands, wetlands, wildlife habitat, and a loss of trees and plants that absorb carbon dioxide and other contaminants and convert carbon to oxygen.

IDEM Response to General Statement 6 – Zoning

IDEM, OAQ understands that several commenters have concerns that the proposed Hatchworks LLC data center would be located too close to their home (residential areas) and would result in loss of farmland, woodlands, wetlands, wildlife habitat, and a loss of trees and plants that absorb carbon dioxide and other contaminants and convert carbon to oxygen. However, IDEM, OAQ does not have the authority to evaluate these types of issues as part of the air permit application review process or to deny an air permit based on concerns about these types of issues.

The Allen County Department of Planning Services has zoned the proposed Hatchworks LLC location (parcels) with a BTI (Business, Technology and Industry Park) classification for a data center campus (Information Technology). IDEM, OAQ does not have the authority to evaluate zoning as part of the air permit application review process. Zoning and other local level permitting decisions are made by local government bodies and officials.

William L. Frohberg and Cynthia L. Hille Comments and IDEM Responses

William L. Frohberg and Cynthia L. Hille Comments

I'm writing to object to the air permit. I actually object to the entire project located 1/4 mile from my house – I made it known to the Allen County Planning Commission meeting in November, 2023 as well.

My understanding is their need for an emissions stack, is for backup diesel generators. Or dissipating heat generated by their servers?

A "woke" "green" company will be burning fossil fuels for diesel generators? The hypocrisy! Why don't they install battery backups?

My vote is NO. Again. This entire project was shoved down our throats.

IDEM Response to William L. Frohberg and Cynthia L. Hille Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 4 – Cooling Towers
- IDEM Response to General Statement 5 – Alternative Fuels or Processes
- IDEM Response to General Statement 6 – Zoning

The emergency generators are equipped with stacks.

No changes to the draft permit were made as a result of these comments.

Tim and Christy Rosswurm Comments and IDEM Responses

Tim and Christy Rosswurm Comments

We are requesting to receive notice of future action related to the permit application submitted by Hatchworks LLC.

IDEM Response to Tim and Christy Rosswurm Comments

Tim and Christy Rosswurm have been added to the list of interested parties for this company in terms of air permitting.

Winston Groves Comments and IDEM Responses

Winston Groves Comments

In the Hatchworks project could you clarify if the cooling towers are used only when the emergency diesel generators are operated or will they be used for building and systems cooling?

What specific types of water treatment chemicals will be used?

Will the cooling towers air quality/chemical use be monitored on a regular basis?

If so, would that be self-monitoring or IDEM?

IDEM Response to Winston Groves Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 3 – Compliance Inspections and Possible Future Violations
- IDEM Response to General Statement 4 – Cooling Towers

No changes to the draft permit were made as a result of these comments.

Jorge Fernandez Comments and IDEM Responses

Jorge Fernandez Comments

I am requesting a public hearing for on T033-47378-00530 for the Hatchworks application for 7510 Zodiac Way Fort Wayne, IN 46816 with my comments on it below

"Critical" diesel backup generators seem like they will generate up to 0.16 to 0.32 tons of HAP (Hazardous Air Pollutants) a year based on application.

Working with I & M to get more renewable energy connected "locally" (as they seem to intend to do) is all well on good on part of developer, but why doesn't Google replace diesel backup generators with hydrogen fuel cells or battery backup energy storage combined with some renewable energy like solar and wind, so neighbors don't have to deal with diesel fumes during weekly testing or use during an electrical outage significant enough to knock out powers to all of the electrical lines coming to it? I think this would be a good idea. As science is always developing regarding health effects of specific emissions, to extent within IDEM's allowed powers.

I would also like for IDEM to try to get further information regarding specific composition of expected particulate matter (PM) releases of all sizes.

Today at the public meeting I was asked about the difference between this earlier Hatchworks draft application that had between .17 total HAP and .33 total HAP range expected and the public comment draft that had 0.39 HAP and said I could send this question to you all. See images below. Thanks.

Also, why did VOC seemingly increase from 8.27 and 13.3 tons/year for unlimited PTE and limited PTE respectively to 43.29 and 43.29 tons/year between drafts?

My understanding: Unfortunately a lot of the current rules seem limited to total air pollution in certain categories not increasing (total air pollution decreasing is definitely a good thing, though) rather than the affect on a local area from concentrated air pollution.

Question: Are the limitations to any pollutants (for example, NOx) any beyond just whether the company can increase its specific limits through more informally called "cap-and-trade" programs?

It would seem that the specific area around a site which will feel a much greater impact including to health could face up to the overall limits in pollutants if that is the case.

I also encourage maximum containment and the strictest compliance for Project Zodiac allowed under the administrative code and state and Federal law especially given the limitations for protection of wellbeing of citizens under the current set of rules for individuals seem very limited already.

IDEM Response to Jorge Fernandez Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 – Public Participation and Environmental Justice
- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 4 – Cooling Towers

On July 1, 2024, IDEM, OAQ conducted a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC. IDEM may schedule a public meeting or hearing during the comment period at its discretion, depending on public interest.

Particulate matter (PM), PM_{10}, and $PM_{2.5}$ are the regulated pollutants that are expected to be emitted from this source. These pollutants will be emitted from the cooling towers and combustion of diesel fuel in the emergency generators and the diesel fire pump. The difference between the total HAPs from 0.33 tons per year to 0.39 tons per year in the Hatchworks draft calculations was due to an error in the calculation. This was corrected by IDEM, OAQ and the corrected calculations were included in Appendix A of the TSD.

When the application was initially submitted, Hatchworks maintained that all diesel emergency generators and the diesel fire pump would be purchased from one vendor. However, during the application review process, Hatchworks asked for another vendor option. The VOC PTE in Appendix A of the TSD is based on the worst-case scenario between the two vendors to provide flexibility.

The draft permit contains a NOx limit to render 326 IAC 2-2 (PSD) not applicable (see Condition D.1.1 of the permit). The source would need to submit an application to have the permit modified in order to increase this limit. Any changes that would increase the calculated potential to emit of the source would also require a permit application submittal and review by IDEM, OAQ.

This source is not subject to a “cap and trade” policy.

No changes to the draft permit were made as a result of these comments.

Alice Luebke Comments and IDEM Responses

Alice Luebke Comments

I am concerned about the amount of air pollution this company is going to be putting into the air in our area.

I want to request a public hearing on this air pollution issue. With enough room to have all the families that it affects are able to attend.

It is my understanding that this amount of pollution is equivalent to several hundreds of semi's running at the same time.

If this is the case, there is an issue with this location due to so many families living in the area.

THE AMOUNT OF POLLUTION WILL BE A SEVERE HEALTH ISSUE FOR ALL FAMILIES.

IDEM Response to Alice Luebke Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 – Public Participation and Environmental Justice
- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 6 – Zoning

On July 1, 2024, IDEM, OAQ conducted a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC. IDEM may schedule a public meeting or hearing during the comment period at its discretion, depending on public interest.

No changes to the draft permit were made as a result of these comments.

Amanda Scheitlin Comments and IDEM Responses

Amanda Scheitlin Comments

This is notice that I am requesting a public hearing for the Hatchworks LLC permit request # NSC/T003-47378-00530, New Source Construction/Part 70 Operating Permit request for Draft Air Permit.

My comments:

- This designated address is a noted Environmental Justice Act Area. According to President Biden's National Executive Order # 14906, these classified areas are to be omitted for any new or at risk environmentally harmful developments. Obviously, this development is a direct threat to the entire environment and then some. It seems nonsensical to even consider adding more damage to the air and water quality to an already grossly disproportionate, overburdened, classified Environmental Justice Act Area.

I wish to receive a copy of the final decision. I thank you for your time and consideration.

In reference to the air quality permit request #003-47378-00530

I attended the public hearing July 1,2024 at Ivy Tech. Jenny Acker opened the meeting with, EJ (environmental justice) will not be of consideration for this permit.

How absurd is that? Seriously. It's an air quality permit request that will have a negative impact on an already established Environmental Justice Act area. An area that is grossly disproportionate and overburdened with toxic facilities. IDEM is supposed to be protecting our environment and those who reside here within. Instead, you open the meeting saying it sucks for you poor people living downwind from this big fortune 500 company.

I don't understand how you can grant an air quality permit when all the facts are not there. Jenny Acker and Iryn Calilung didn't have answers to any of the difficult questions. The meeting felt like a dog and pony show. They all but told us the permit was already granted. Yet, nobody could tell us what particles would be put into our air from the steam being released from the cooling towers. That would require knowing what chemicals are in the water to begin with. How can you make a determination without all the information? Just because it's a fortune 500 company they should not have privilege over critical protective guidelines. Everybody knows the 46803 is the most impoverished area in the entire state. It seems grossly negligent of IDEM to be participating in approving more harmful toxins onto the most vulnerable people in their state.

Of course someone took the time to say the company would be fined when they exceed the numbers. It's a fortune 500 company. A fine won't mean anything to them. For the folks living here, our air quality is a direct impact on our lives. This area has the greatest number of elderly, disabled, single mothers, etc.

IDEM, who are you working for? Please, help make Indiana a cleaner place to live. Right now, Indiana leads in TOXIC RELEASES per square mile over all other states. Stop approving permits that allow big developers to legally poison Hoosiers. Stop it! Stop adding to the disparity.

Please, deny this environmentally harmful air quality permit request.

I thank you for your time and consideration concerning this matter.

IDEM Response to Amanda Scheitlin Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 – Public Participation and Environmental Justice
- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 3 – Compliance Inspections and Possible Future Violations
- IDEM Response to General Statement 4 – Cooling Towers

On July 1, 2024, IDEM, OAQ conducted a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC. IDEM may schedule a public meeting or hearing during the comment period at its discretion, depending on public interest.

Amanda Scheitlin is already in the list of interested parties for this source and thus will receive the final permit.

No changes to the draft permit were made as a result of these comments.

Maia Pfeffer Comments and IDEM Responses

Maia Pfeffer Comments

As a southeast Fort Wayne resident, I would like more information about the anticipated emissions from the 34 diesel backup generators and what the 240 tons/yr NOx limit might mean for neighboring property owners.

If the limit is exceeded, what enforcement mechanisms will be implemented and what, if any, remediation might take place?

IDEM Response to Maia Pfeffer Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 3 – Compliance Inspections and Possible Future Violations

The NOx limit of 240 tons/year is specified in the permit to render 326 IAC 2-2 PSD major review not applicable.

No changes to the draft permit were made as a result of this comment.

Peg Maginn Comments and IDEM Responses

Peg Maginn Comments

Why is there no requirement to capture heat and CO_2 emissions when technology for direct capture is now available through modular HVAC systems? This should be mandatory.

Where is the effort to use renewable energy via working with I+M as was advertised during the announcement of this project (although what type of renewable energy was not stated)? With

wind/solar power generation and battery backup, the use of diesel storage tanks could at least be reduced if not eliminated.

This company (Google) has plenty of land – a significant percentage of which should be dedicated to clean energy generation. That should be required in order to reduce if not eliminate the use of diesel storage. We know diesel emits: particulate matter (already an increasing problem in our area as evidenced by more "moderate" particulate days); Carbon Monoxide (CO); Nitrogen Oxides (NOx); Hydrocarbons (HC); Volatile Organic Compounds (VOC's); Greenhouse Gases; Carbon Dioxide (CO_2); Ozone and other harmful chemicals. Health studies show that exposure to diesel exhaust "primarily affects the respiratory system and worsens allergies, asthma, bronchitis and lung function....it may also increase the risk of heart problems, premature death, and lung cancer."

IDEM Response to Peg Maginn Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 5 – Alternative Fuels or Processes

On June 23, 2014, in the case of *Utility Air Regulatory Group v. EPA*, cause no. 12-1146, (available at https://www.supremecourt.gov/opinions/boundvolumes/573BV.pdf) the United States Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHG emissions to determine operating permit applicability or PSD applicability to a source or modification.

No changes to the draft permit were made as a result of these comments.

Christine Smith Comments and IDEM Responses

Christine Smith Comments

I am writing to request an informational public meeting and public hearing on Permit T033-47378-00530 to assist southeast Fort Wayne, City of New Haven and nearby unincorporated Allen County residents with understanding the Hatchworks LLC application for 7510 Zodiac Way, Fort Wayne, IN 46816.

As a resident living close to this development, I would like to better understand what the anticipated emissions of 0.16 to 0.32 tons of Hazardous Air Pollutants per year from the 34 Critical diesel backup generators and what the 240 tons/yr NOx limit means for people living within breathing distance of this development.

Also, with regard to emissions from the 15 cooling towers it is my understanding that water vapor is not considered Particulate Matter since it is not a solid, so I would like to know what are the components of the 6.3 tons of various sized PM per year expected to be released from

Hatchworks' 15 cooling towers? Though the exact nature of those elements may be considered some sort of Hatchworks trade secret, or perhaps it is because Hatchworks' Cooling Towers are not considered to be part of an industrial process that produces a product, or maybe it is simply that Indiana does not consider these particular PM elements that will be emitted in the steam to be regulated pollutants, it is none the less disturbing that nearby residents will not know the exact nature of what the Particulate Matter discharged in those 15 cooling towers will contain. For instance, are any of those particles carcinogenic? Will those emissions affect the elderly or people with breathing problems or other sensitive groups? Will those living nearby need to take precautions to limit exposure and time spent outside? Will residents in the area whose only 'air conditioning' in the summer is opening their windows be more at risk to whatever this 24/7 365/day/yr emission of PM of various sizes is? Additionally, could there be prolonged periods of "Unhealthy for Some" and/or "Unhealthy for all" Air Quality Alerts issued for our neighborhood area, southeast Fort Wayne and the City of New Haven when upper air patterns and high pressure systems set up and stick around causing air stagnation and trap all of those various- sized PM?

Knowing exactly what the Cooling Towers PM emissions will contain as well as obtaining a better understanding of the Hazardous Air Pollutants released per year by the backup generators will help nearby citizens better plan and prepare for our future. It may well be that in order to maintain our health, we'll need to live elsewhere. It certainly would be helpful to know that sooner than later.

I am requesting to be put on the Interested Parties Mailing List to receive notices about permit actions for the Air Quality Permit submitted to the IDEM-Office of Air Quality on December 22, 2023, by the company Hatchworks LLC for the location 5801 Adams Center Road in Allen County.

It is my understanding that water vapor is not considered Particulate Matter since it is not a solid, so the specified amounts of material released from their cooling towers wouldn't include water.

Hatchworks indicates the total amount of PM as a maximum of 2.54 tons (including PM larger than PM_{10} and $PM_{2.5}$), and PM_{10} being released at a maximum of 1.78 tons per year, and the smaller $PM_{2.5}$ being released into air at a maximum of as 1.07 tons per year. Though it may be some sort of trade secret by Hatchworks, or perhaps because Hatchworks Water Cooling Towers are not considered to be part of an industrial process that produces a product, or perhaps simply that Indiana does not consider these particular PM elements regulated pollutants, it seems that the public will not be privy to the exact nature of what the Particulate Matter discharged in the cooling towers' steam will be composed of. That is concerning.

For instance, are any of those particles carcinogenic? Will those emissions affect the elderly or people with breathing problems or other sensitive groups? Will those living nearby need to take precautions to limit exposure? Will citizens in the area whose only "air conditioning" in the summer is to open their windows be more at risk to whatever this 24/7 365/day emission of PM of various sizes is?

Knowing exactly what the PM emissions will be may better help nearby citizens plan and prepare for our future. It may well be that in order to maintain health, we'll need to plan to live elsewhere. It certainly would be helpful to know that sooner than later.

IDEM Response to Christine Smith Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 4 – Cooling Towers

On July 1, 2024, IDEM, OAQ conducted a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC. IDEM may schedule a public meeting or hearing during the comment period at its discretion, depending on public interest.

Regarding questions about the potential emissions of particulate matter (PM, PM_{10}, or $PM_{2.5}$) and hazardous air pollutants (HAPs) from the proposed cooling towers, please see IDEM Response to General Statement 4 – Cooling Towers. Contaminants that were detected in drinking water at the Fort Wayne City Utilities Three Rivers Water Filtration Plant in 2023 are summarized in the 2024 Annual Drinking Water Quality Report (https://utilities.cityoffortwayne.org/drinking-water/water-quality). Some of the contaminants that were detected in the drinking water are known, probable, or possible carcinogens. As discussed in the drinking water plant's 2024 report, the presence of these contaminants in drinking water at a level below the limits set by regulatory agencies does not indicate that the water poses a health risk.

The proposed permit contains all health-based and technology-based standards established by EPA and the ERB, which will limit the amount of air pollution emissions from the facility in accordance with all applicable requirements. These conditions work in conjunction to protect human health and the environment. For additional information on the potential impact of the proposed source to the environment and human health, please see IDEM Response to General Statement 2 – Impact to the Environment and Public Health.

The NOx limit of 240 tons/year specified in the permit is to render 326 IAC 2-2 PSD major review not applicable.

Christine Smith has been added to the list of interested parties for this company in terms of air permitting.

No changes to the draft permit were made as a result of these comments.

Betsy Kachmar Comments and IDEM Responses

Betsy Kachmar Comments

Please initiate a public hearing on the Hatchworks application: permit T033-47378-00530, 7510 Zodiac Way, Fort Wayne, IN 46815.

I, and many Fort Wayne citizens, have concerns regarding the impact this large development will have on our community. Specifically, the impact of the diesel storage tanks, cooling towers, surface area coverage, traffic, energy usage, and employee/neighborhood safety around high voltage & fuel tanks.

A project this large will have a significant impact on the environment nearby and potentially downstream. It is good policy to proceed with caution and careful deliberation regarding the mitigation of negative impacts of this development and incorporate opportunities for alternative fuel (wind/solar) that could enhance rather than tax existing resources.

Conversations in advance of development are preferable for all concerned than delays/litigation once the project is underway.

Thank you for your consideration of this request.

I, and many Fort Wayne citizens, have concerns regarding the impact this large development will have on our community. Specifically, the impact of 36 diesel storage tanks (each with 6,000 gallon capacity), 15 cooling towers (with 6,000 gallons of water circulation/minute), surface area

coverage of the facility & parking, traffic congestion, energy usage, and employee/neighborhood safety around high voltage power & massive fuel tanks.

Air quality will be negatively affected by the extensive use of diesel and the generation of power it will take to operate this facility. While power & water suppliers have made assurances that there will be sufficient resources to sustain this business. We would ask, for how long and at what cost? Will state regulators postpone fossil fuel plant closures to fulfil energy capacity deficits caused by development of these super structures with enormous appetites for electricity? What are the long terms costs of the use of our non-renewable resources?

A project this large will have a significant impact on the environment nearby and potentially downstream (air & water). It is good policy to proceed with caution and careful deliberation regarding the mitigation of negative impacts of this development and incorporate opportunities for alternative fuel (wind/solar) that could enhance rather than tax existing resources.

Conversations in advance of development are preferable for all concerned than delays/litigation once the project is underway. I ask that, if you intend to approve this permit, you secure specific assurances and timelines from all parties that can mitigate environmental impact prior to issuing your approval.

Thank you for your consideration of this request.

IDEM Response to Betsy Kachmar Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 4 – Cooling Towers
- IDEM Response to General Statement 5 – Alternative Fuels or Processes
- IDEM Response to General Statement 6 – Zoning

On July 1, 2024, IDEM, OAQ conducted a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC. IDEM may schedule a public meeting or hearing during the comment period at its discretion, depending on public interest.

IDEM, OAQ understands that the commenter has concerns about issues such as surface area coverage, traffic, energy usage, and employee/neighborhood safety around high voltage & fuel tanks. However, IDEM, OAQ does not have the authority to evaluate these types of issues as part of the air permit application review process or to deny an air permit based on concerns about these types of issues.

For issued related to safety around high voltage and fuel tanks, please contact your local emergency management officials, the local fire department, and/or the Indiana State Fire Marshall for these concerns.

Hatchworks LLC is regulated by other federal programs such as OSHA’s Process Safety Management standard and EPA’s Risk Management Plan regulations, which subjects the facility to requirements for emergency preparedness/response plans.

No changes to the draft permit were made as a result of these comments.

Carla Kilgore Comments and IDEM Responses

Carla Kilgore Comments

Having clean air is vital to the health and well being of all of our state's citizens, but particularly the more vulnerable, such as children, lower income residents, people of color, and people with illnesses. The expense of addressing the negative impacts of pollution far outweighs the expense of putting clear and stringent protections in place from the get go, so I would ask that all new projects, Google included, be held to the highest possible standards for preventing pollution and limiting reliance on polluting sources of energy and materials. Putting in 36 diesel generators means that even if those aren't the primary source of energy, they can be used, and when and if they are, they will emit pollutants into the surrounding air. There are alternatives available now for much cleaner energy, including using solar in combination with batteries, that can prevent that pollution from affecting our neighbors.

Any steps you can take to protect the health of our community are well founded and appreciated.

IDEM Response to Carla Kilgore Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 – Public Participation and Environmental Justice
- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 5 – Alternative Fuels or Processes

No changes to the draft permit were made as a result of these comments.

Kimberly Koczan Comments and IDEM Responses

Kimberly Koczan Comments

Greetings, Mr. El-Rjoob,

I am a Fort Wayne resident and am requesting IDEM hold a public hearing on Hatchworks application permit T033-47378-00530 regarding 7510 Zodiac Way, Fort Wayne, IN 46815.

Google representatives have declared that they are using "cutting edge technology" and renewables as a partnership with I&M utilities (Wane.com.) Hatchworks/ Google has maintained that they want to be a good community partner & neighbor, so I was surprised to read in the permit application that there is a request for 36 diesel tanks, holding up to 6,000 gallons each of fuel for generators. When those are running, the emissions will be substantial and above the limit for particulate matter that IDEM has established.

Our corner of the state is already suffering from poorer air quality than many parts of the country and even within the state. Our health indicators of high asthma, heart, and infant and maternal mortality rate would not be helped by the added air pollution created with approval of this application as it is. As a good neighbor the applicant could actually be a model of utilizing their space and scope for best practices such as use of expansive renewable energy sources such as rooftop solar and utilizing the most efficient technologies like direct capture through modular HVAC systems to reduce CO_2 emissions and capture excess heat.

My family is concerned about the impact of the diesel storage tanks, energy usage, cooling towers, surface area coverage, traffic, and employee/neighborhood safety around high voltage & fuel tanks. In other areas, when storm events happen, it is the entities with solar or wind who are often

the resiliency hub for a community trying to survive an emergency event. This huge development could use the safest and cleanest technologies, rather than using outdated, potentially dangerous fuels as part of their plan. Please bring the public into the plans through public information and a public hearing so that the applicant and the community can work together for the healthiest outcomes possible.

Thank you for your consideration.

IDEM Response to Kimberly Koczan Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 – Public Participation and Environmental Justice
- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 4 – Cooling Towers
- IDEM Response to General Statement 5 – Alternative Fuels or Processes
- IDEM Response to General Statement 6 – Zoning

IDEM, OAQ understands that the commenter has concerns about issues such as surface area coverage, traffic, energy usage, and employee/neighborhood safety around high voltage & fuel tanks. However, IDEM, OAQ does not have the authority to evaluate these types of issues as part of the air permit application review process or to deny an air permit based on concerns about these types of issues.

For issued related to safety around high voltage and fuel tanks, please contact your local emergency management officials, the local fire department, and/or the Indiana State Fire Marshall for these concerns.

Hatchworks LLC is regulated by other federal programs such as OSHA's Process Safety Management standard and EPA's Risk Management Plan regulations, which subjects the facility to requirements for emergency preparedness/response plans.

No changes to the draft permit were made as a result of these comments.

Dennis Sinacola Comments and IDEM Responses

Dennis Sinacola Comments

I would like to apologize but a lot of the speakers were not speaking into the mic and Jane and I could not hear the questions presented at the July 1st meeting at IVY TECH.

We live one block south of Paulding rd and the east side of Hartzell rd.

Question 1. Will the development be using Fort Wayne supplied water or digging their own wells for the plant cooling system?
Question 2. What size of micron filtering will be used to remove mineral solids from the exhaust air from the plant cooling system?
Concern: If the solids are not filtered out a powder residue can be in the exhaust air from the cooling system and deposited on my residence that is close to the East side of the new Google facility.

IDEM Response to Dennis Sinacola Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 4 – Cooling Towers

No changes to the draft permit were made as a result of these comments.

Isa Robinson Comments and IDEM Responses

Isa Robinson Comments

To the IDEM,

I'm writing in relation to permit number 003-47378-00530 within the public comment period to express my concerns, specifically regarding the effect of diesel generators on human health.

Diesel pollution in known to put even healthy people at risk of asthma and respiratory illness and can exacerbate existing heart and lung conditions. With this data center being so close to a residential area, I am deeply worried for our neighbors, especially those with children. Additionally, with how much energy data centers consume, the amount of diesel exhaust these residents could be exposed to would be much greater than the average person, further worsening health outcomes.

There have also been concerns about air contaminants coming from the cooling water that will be used. Though I understand Google can try and screen out larger particulates, I still worry about known contaminants in Fort Wayne's water (fluoride, chromium, cyanide, nickel, lead, etc., as detailed in this year's annual water quality report) entering the air through the steam and water vapor, which could then be inhaled.

Thank you for listening to my concerns, I trust that the right thing will be done for the people of the city.

IDEM Response to Isa Robinson Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 4 – Cooling Towers
- IDEM Response to General Statement 6 – Zoning

No changes to the draft permit were made as a result of these comments.

Gina M. Burgess Comments and IDEM Responses

Gina M. Burgess Comments

Dear Mr. El-Rjoob:

Good afternoon! My name is Gina Burgess and I am a resident of Allen County, Indiana. I am writing you today regarding Hatchworks, LLC's request for permitting through IDEM's Office of Air Quality.

Specifically, I am humbly and respectfully requesting the following:

1. That my name and address be added to the mailing list as it pertains to Hatchworks, LLC's current and future requests as well as any other IDEM requests from any other vendor pertaining to the Fort Wayne Google Data Center, including but not limited to Hatchworks, Holder, and Google.

Please use the following address:

Ms. Gina M. Burgess
P.O. Box 11684
Fort Wayne, IN 46859

2. That this email be added to all other emails, letters, phone calls, etc received by you or IDEM's Office of Air Quality, between 4/17/2024 and today, 5/22/2024, in support or in opposition of the permit(s) requested by Hatchworks. Please consider this email as being in support of previous requests received for either a Public Information Meeting and/or a Public Hearing in the matter of the above referenced permit request.

3. That you kindly accept and document this email as being received in a timely manner without penalties.

I make this request based on my not being on the mailing list and that although the 30 day notice was mailed to those on the aforementioned mailing list on 4/17/2024, the Notice was not published until 4/18/2023, the Publication of the Notice was not certified until 4/22/2024, and that the Notice was not, in fact, received by those on the mailing list until 4/22/2024. Please note the appropriate screenshots attached herein as to these facts. I would further ask that any other correspondence received today, electronically or postmarked, also be considered received in a timely manner, without prejudice, penalty or exception.

4. That a Public Information Meeting and Public hearing be held regarding the above-referenced permit(s).

5. That members of IDEM's Office of Air Quality visit -- live and in-person -- the Google Data Center located at 1101 Beach Road SW, New Albany, Ohio.

I realize that my request for a live, in-person review, inspection, and investigation by IDEM's Office of Air Quality may seem unusual. Please note that I am making such a request because the New Albany Data Center is the "sister" data center to the Fort Wayne Google Data Center. Both are being owned, developed, constructed and operated by the same group of companies and individuals.

On the evening of February 3, 2024, between 10 pm and midnight EST, I paid a visit to Google's Data Center in New Albany, Ohio. The amount of light pollution, noise pollution and air pollution was unnerving. (See photos below.)

IDEM Note: The photos that were attached to this comment are included Appendix B of the ATSD.

I am not an air quality expert. I readily admit this. However, to my non-expert eyes, it would seem that Google's New Albany Data Center may be operating in violation of 326 IAC 5-1 regarding Opacity. As you can see in my night time photos, opacity seems to exceed the 40% threshold and quite possibly the 60% threshold as well.

The New Albany Google Data Center appears to emit particulates equal to or greater than any manufacturing facility in Northeast Indiana, including but not limited to General Motors Fort Wayne Assembly, Steel Dynamics, Edy's Ice Cream, LaFarga, etc. In fact, the New Albany Google Data Center appears to emit a particulate amount equal to or greater than either the Davis-Busse Nuclear Power Station, 5501 OH-2, Oak Harbor, OH 43449 or the atomic-looking Nipsco Power Plant Cooling Tower, 707 W. 4th Street, Michigan City, IN 46360.

Is it really good public policy to allow a facility with the capability of releasing particulates into the air at a rate equal to or greater than that of a nuclear power plant?. Especially when that facility is less than 2 miles from 3 schools?

Additionally, the New Albany Google Data Center may be operating in violation of 326 IAC 6-4 regarding Fugitive Dust Emissions. Please note the daytime photos below of the fence and tree line running parallel to the data center's property line along the backside of the data center campus. This would be parallel to Babbitt Road in New Albany, Ohio.

Can you see the vegetation, especially the trees, dying? It would seem that the pollutants being emitted are taking their toll, environmentally, within Google's property line. But there's no way that a non-expert like me knows how to tell if there's damage beyond the property line, such as any easements between the private property line and public road and right-of-way.

The photos I am sharing here do not do justice to what you or anyone else with IDEM's Office of Air Quality will see during a live, in-person visit to the New Albany Google Data Center Campus, while it is in full operation.

Finally, a review is probably needed as to Ozone levels. According to the EPAs website, New Albany, OH has double the Ozone problems that Fort Wayne, IN has over the course of a 30 day period. This is in spite of the fact that Fort Wayne has more manufacturing facilities than New Albany. (See appropriate screenshots below.) How does a place with less manufacturing produce more Ozone-complicating air pollution?

IDEM Note: The screenshots that were attached to this comment are included Appendix B of the ATSD.

It is because of the questions I've presented here that I fully support both a Public Information Meeting and a Public Hearing.

But it's because of the facts I've documented that I am requesting a live, in-person review, inspection and investigation by your Office of the New Albany Google Data Center Campus. I believe that it's really important for you and your office to fully understand what the outcome of your permit approvals could be, especially if problems arrive as they seem to in New Albany, OH. Mitigating these problems will likely be easier during the current Pre-Construction phase than later on.

Thank you, in advance, for any assistance you can provide here. Your knowledge, expertise, experience, and open-mindedness are all greatly appreciated. Please feel free to contact me with any questions or comments.

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Dear Mr. El-Rjoob:

Good afternoon! This is a follow up email to the email I sent you on May 22, 2024. In my original email I shared concerns about air emissions and provided images. I have been trying to forward video of the Google Data Center emissions that are currently taking place in New Albany, Ohio, but due to the size of the video and some tech problems I have been unable to do so. I've

uploaded the video to my public Facebook account and made the video post public, which means you, your colleagues, and your supervisors should be able to see the video. Here's a link to that video post: https://protect2.fireeye.com/v1/url?k=31323334-50bba2bf-31367a34-4544474f5631-8682c4344aadbdd6&q=1&e=7c780592-3bd4-405f-997b-6d82dcbebcab&u=https%3A%2F%2Fwww.facebook.com%2F1378001731%2Fvideos%2Fpcb.1023184632728593 8%2F812718887258538

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Dear Mr. El-rjoob:

This email is a follow up to the public meeting held in Fort Wayne on July 1, 2024, regarding the above-referenced Hatchworks permit.

EPA REVIEW

Pursuant to my understanding of 326 IAC 2-7-18, the EPA also has to review this matter. If my understanding is correct, please state the contact information for IDEM's EPA counterpart and the date when IDEM forwarded the matter the EPA. To that end, has IDEM advised the EPA that a full 45 day review is needed? If not, why not? When does the review period for the EPA end in this matter?

MONITORING

Where is the closest IDEM Air Quality monitoring station to the Google Data Center site? What is the name, location and phone number of the Air Quality monitor?

Has air monitoring been performed specific to the site location? If so, for how long? How can those reports be accessed?

Given the size of the Google Data Center, the amount of space it's taking up, the amount of water and electric resources it's going to consume, given the amount of natural resources that have been destroyed, and given the amount of emissions, is it possible to get a site-specific monitor or, alternatively, a more geographically closer-to-site monitor? If not, why? If so, how is this best achieved?

ENFORCEMENT COMPLAINTS AND COMPLIANCE

It's my understanding that IDEM will have air compliance inspectors conducting inspections and responding to complaints, what is the contact information for the IDEM Air Quality Inspector for Northeast Indiana.

Also, does the EPA have a counterpart to this IDEM inspector? If so, what is their name and contact information?

FINES AND PENALTIES

What are the fines and penalties for non-compliance?

Can you share information about the process used to monitor, enforce, and impose fines and penalties?

What kind of non-compliance would it take to require the Google Data Center to cease operations?

GOOGLE'S WATER TOWER CONSTRUCTION

What material is Google's water cooling towers being constructed with? When it comes into contact with a repeated water source, how does it corrode? Example: Steel to rust (steel corrosion), Copper to patina (copper corrosion), etc. What chemical(s) will be used to delay the corrosion?

What is the useful life (mechanical deterioration) of Google's water cooling towers?

What is the shelf life (material deterioration) of the anti-corrosive chemical(s) Google intends to use?

AIR WASTE STORAGE AND DISPOSAL

For purposes herein, air waste is defined as the larger particulates that are successfully screened or filtered out of the air prior to being emitted outdoors. When, where and how is that air waste going to be stored and disposed of? Which IDEM Department has oversight and jurisdiction of this waste storage and disposal? What is that department's contact information?

WATER-TO-AIR EMISSION CONTAMINATION CONCERNS

It's been well-documented that the water that the Google Data Center will be using for it's cooling towers will be coming from Fort Wayne City Utilities. In June, Fort Wayne City Utilities released its annual Water Quality Report which shows the following contaminants: Chlorine, Fluoride (actually fluorosolisic acid aka hexafluorosilicic acid), Cyanide, Chromium, Nickel, Lead and more. It was also discussed at a November, 2023 Joint Planning meeting that the chemical composition of Fort Wayne's water would need to be changed to accommodate Google's cooling tower needs.

What will the new water chemical composition be for the water supplied by Fort Wayne City Utilities?

If that water contains Fluoride (aka fluorosolisic acid aka hexafluorosilicic acid), when it hits the air, it becomes caustic fumes. In 2001, Fort Wayne City Utilities had a mishap at their indoor, confined and contained water treatment plant. That mishap led to dangerous, toxic fumes. At that time, four Fort Wayne City Workers were injured.

What is being done to limit, restrict, or reduce "Fluoride" from being used in Google's cooling towers? If there is a chemical mishap, how will the Fort Wayne, New Haven, Allen County community be informed?

At what point does adding "fluoride" to the water transition from being regulated by IDEM's Office of Water Quality to IDEM's Office of Air Quality? Who in Indiana ultimately regulates this? And who in the federal government ultimately regulates this? To that end, what is the ultimate codified authority regulating this particular situation?

WATER AND AIR EMISSION HEALTH CONCERNS

With Fort Wayne City Utilities providing water to the general public and that same water to Google for cooling purposes, any water contaminants are going to be consumed twice by nearby residents who are Fort Wayne City Utilities customers, which includes nearby schools, daycares, churches, and more. Have the effects of "double ingestation" been discussed with the U.S. Department of Health and Human Services, the Indiana State Board of Health, and/or Allen County Board of Health? If so, when, where, with whom and what was the outcome? If there hasn't been any such discussions, why not?

REQUESTING AN ENVIRONMENTAL JUSTICE ANALYSIS BE PERFORMED

The Indiana Department of Environmental Management has taken a rather unique approach in its interpretation of the EPA required Environmental Justice Analysis by essentially negating and ignoring the federally-mandated 30+-year standing bipartisan public policy. A public policy that several other States utilize as the policy is written. Please provide a formal response as to why IDEM is not following Executive Order 12898. Or, alternatively (and preferably), please perform the appropriate Environmental Justice Analysis with respect to the Google Data Center site referenced in the Hatchworks LLC permit.

ENVIRONMENTAL RESTORATION

In preparation for the Google Data Center, nearly 1,000 acres of farmland, woodlands, wetlands, wildlife habitat, bald eagle habitat and more have been destroyed. As part of that destruction, there was a significant loss of mature and developing trees and other native plant life. Trees and plants are well-known to absorb carbon dioxide and other contaminants out of the air, acting as air purifiers that convert carbon to oxygen and improve the quality of air.

What can IDEM do to help restore and improve the oxygen-producing environment surrounding the immediate and outlying areas of the Google Data Center location? Is there a fund or resources available to restore the area?

Thank you, in advance, for your time and thoughtful consideration. I am looking forward to your timely response.

IDEM Response to Gina M. Burgess Comments

Please see the following IDEM responses at the beginning of the ATSD under the General Statements and IDEM Responses section:

- IDEM Response to General Statement 1 – Public Participation and Environmental Justice
- IDEM Response to General Statement 2 – Impact to the Environment and Public Health
- IDEM Response to General Statement 3 – Compliance Inspections and Possible Future Violations
- IDEM Response to General Statement 4 – Cooling Towers
- IDEM Response to General Statement 6 – Zoning

IDEM, OAQ thanks Gina M Burgess for providing the photographs and video of the Google Data Center in New Albany, OH.

Below is additional IDEM response to comments:

- Gina M. Burgess has been added to the list of interested parties for this company in terms of air permitting.

- On April 18, 2024, the Office of Air Quality (OAQ) had a notice posted on IDEM's website (https://www.in.gov/idem/public-notices/), stating that Hatchworks LLC had applied for a New source Construction and Part 70 operating permit, relating to construction and operations of a stationary data center. Publication the April 18, 2024, public notice on IDEM's website met the requirements of 326 IAC 2-7-17(c)(1)(A). IDEM OAQ also provided notification via letter through the U.S. Postal Service to local/regional government entities, persons living on land adjoining the Hatchworks, LLC, property and persons that had requested to be included on the interested parties list for Hatchworks, LLC, or any company in Allen County.

- On July 1, 2024, IDEM, OAQ conducted a public meeting regarding the draft New Source Construction and Part 70 Operating Permit for Hatchworks LLC. IDEM may schedule a public meeting or hearing during the comment period at its discretion, depending on public interest.

- There are no applicable state or federal rules that require IDEM representatives to review, inspect, or investigate the Google Data Center in New Albany, OH.

- IDEM, OAQ understands that the commenters have concern that the source could result in light pollution and noise pollution. However, IDEM, OAQ does not have the authority to evaluate these types of issues as part of the air permit application review process or to deny an air permit based on concerns about these types of issues.

- Regarding the requirements of 326 IAC 5-1 (Opacity Limitations), IDEM OAQ has no authority to determine the compliance status of Google Data Center in New Albany, OH, with the Indiana Administrative Code 326 IAC 5-1 (Opacity Limitations) since the New Albany, OH, data center is not located in Indiana. Hatchworks is required to be in compliance with applicable regulations at all times. Compliance will be evaluated based state and federal requirements.

- The potential to emit (PTE) PM, PM_{10}, or $PM_{2.5}$ from the proposed Hatchworks LLC data center was summarized in the Technical Support Document (TSD) for the draft permit and the PTE calculations were included in Appendix A of TSD. The TSD was part of the permit documents provided during the public notice period and is available at https://permits.air.idem.in.gov/47378d.pdf on IDEM's website.

  The TSD (page 3) includes a PTE table labeled "Unrestricted Potential Emissions (ton/year)" and shows the maximum amount of PM, PM_{10}, or $PM_{2.5}$ that the source could potentially emit if it operated 24 hours a day, 365 days a year (8,760 hours per year), without any permit limitations or pollution controls. IDEM, OAQ has evaluated the emission factors and calculation methodology used to determine the potential to emit (PTE) of the cooling towers and other emission units and has determined that the PTE calculations are adequate for purposes of determining permitting level and applicability of state and federal air rules and regulations.

- IDEM OAQ has no authority to determine the compliance status of Google Data Center in New Albany, OH, with the Indiana Administrative Code 326 IAC 6-4 (Fugitive Dust Emissions), since the New Albany, OH, data center is not located in Indiana. Hatchworks is required to be in compliance with applicable regulations at all times. Compliance will be evaluated based state and federal requirements.

  For the proposed Hatchworks LLC data center, IDEM compliance inspectors will monitor property lines as part of inspections to assure sources are meeting the requirements of the permit including the requirements of 326 IAC 6-4. Practically, compliance with the fugitive dust rule is determined under 326 IAC 6-4-5(c) by a qualified representative of the commissioner based on visible emissions crossing the property line of the source at or near ground level. Please note that "fugitive dust" excludes uncombined water as specified in the following definitions:

  - As defined in 326 IAC 6-4-1, "fugitive dust" means the generation of particulate matter to the extent that some portion of the material escapes beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located.

- As defined in 326 IAC 1-2-52, "particulate matter" or "PM" means any airborne finely divided solid or liquid material, excluding uncombined water, with an aerodynamic diameter smaller than one hundred (100) micrometers.

- Regarding the dying or dead trees in the photographs provided the commenter (included Appendix B of the ATSD), IDEM, OAQ cannot make any conclusions regarding the cause of the dying or dead trees at the Google Data Center in New Albany, OH.

- Regarding the ozone level trends in New Albany, OH, IDEM, OAQ cannot make any conclusions regarding the cause of the ozone levels trends. Indiana will monitor ground-level ozone (O_3) near Fort Wayne as part of its ambient air monitoring network plan. For additional information on Indiana's ambient air monitoring network, please see IDEM Response to General Statement 2 – Impact to the Environment and Public Health.

EPA REVIEW

- The proposed permit is being provided to U.S. EPA for a 45-day review period. The proposed permit was submitted to U.S. EPA on July 22, 2024, and the 45-day review period will end on September 5, 2024.

  The U.S. EPA Region 5 contact for this proposed permit is:

  Priyanka Painuly
  US EPA Region 5
  77 W. Jackson Blvd
  Chicago, IL 60604
  Office Phone: 312-886-7569
  Email: Painuly.Priyanka@epa.gov

MONITORING

- Other than the IDEM ambient air pollution monitors discussed in the “Impact to the Environment and Public Health” section of this documents, no additional air monitoring has been performed specific to the proposed Hatchworks LLC data center site location. For additional information on Indiana's ambient air monitoring network and ambient air monitoring data, please see IDEM Response to General Statement 2 – Impact to the Environment and Public Health.

ENFORCEMENT COMPLAINTS AND COMPLIANCE

- For information regarding the IDEM, OAQ air inspector for Allen County and how to submit a complaint with respect a source's compliance with its air permit, please see IDEM Response to General Statement 3 – Compliance Inspections and Possible Future Violations.

  With respect to submitting complaints or reporting a violation to the U.S. EPA Region 5, citizens can call the U.S. EPA Region 5 at 312-353-2000 or toll-free at 800-621-8431 on weekdays from 8:00 am to 4:30 pm Central time. However, U.S. EPA Region 5 prefers that citizens submit complaints or report violations using the Report-A-Violation system at https://echo.epa.gov/report-environmental-violations.

FINES AND PENALTIES

- For information regarding fines and penalties for noncompliance with air permit requirements, please see IDEM Response to General Statement 3 – Compliance Inspections and Possible Future Violations.

  IDEM, OAQ cannot speak to the outcome of a hypothetical violation situation. Violations are addressed and only on a case-by-case basis after the violation has occurred.

GOOGLE'S WATER TOWER CONSTRUCTION

- The cooling tower construction material, corrosion tendencies, or useful life (mechanical deterioration) for this proposed source do not impact any applicable requirements in the proposed air permit. Condition B.12 of the proposed air permit requires that Hatchworks LLC prepare, maintain, and implement Preventive Maintenance Plans (PMPs) (OMM Plan and/or O&M Plan if required by 40 CFR Part 60 and/or 40 CFR Part 63) for each of the emission units at the source. PMPs are typically kept on site so that on-site employees can effectively implement the PMPs and so that a copy is available for review by an IDEM, OAQ inspector. During an inspection, the IDEM, OAQ inspector will perform a records review, which includes review of PMPs, to determine if the source is in compliance with the PMP requirements. The intent of a PMP is to be a living document based on necessary maintenance requirements during the life of various equipment and may change from time to time based on the maintenance needs at the facility. If a source is not in compliance with the PMP for the source, the source may be referred to compliance and enforcement.

  Cooling water treatment chemicals typically address corrosion, scale, and microbiological growth concerns. Final chemicals to be used to treat cooling tower water at this proposed data center have not been finalized; however Hatchworks has stated there will be no VOC and HAP components in the cooling tower treatment chemicals and thus calculations associated with additives at Hatchworks are not necessary, nor are any regulatory evaluations necessary. Therefore, no monitoring of the cooling tower treatment chemicals is warranted.

AIR WASTE STORAGE AND DISPOSAL

- To reduce particulate matter emissions, each proposed cooling tower will be designed with an integral and industry standard drift eliminator to reduce the amount of drift (and associated dissolved solids) that is emitted. However, the proposed Hatchworks LLC data center will not be collecting, storing, or disposing of particulate matter.

WATER-TO-AIR EMISSION CONTAMINATION CONCERNS

- For information regarding water-to-air emissions from the cooling towers at this proposed data center, please see IDEM Response to General Statement 4 – Cooling Towers.

WATER AND AIR EMISSION HEALTH CONCERNS

- Regarding the comments on "double ingestation" of water contaminants, IDEM, OAQ recognizes that water contaminants and its potential effect on human health and the environment are of great concern to the commenter. IDEM, OAQ has not discussed the effects of "double ingestation" with the U.S. Department of Health and Human Services, the Indiana State Board of Health, or the Allen County Board of Health. The concentration of water contaminants in drinking water prior to distribution for public consumption are regulated by IDEM's Office of Water Quality (OWQ). There are no applicable state or

federal rules that require IDEM, OAQ to discuss consumption of water contaminants in drinking water with U.S. Department of Health and Human Services, the Indiana State Board of Health, or the Allen County Board of Health. This proposed air permit contains applicable state and federal rules and regulations related air pollution.

REQUESTING AN ENVIRONMENTAL JUSTICE ANALYSIS BE PERFORMED

- For information regarding Environmental Justice, please see IDEM Response to General Statement 1 – Public Participation and Environmental Justice.

ENVIRONMENTAL RESTORATION

- For information regarding loss of farmland, woodlands, wetlands, wildlife habitat, and trees/plants, please see IDEM Response to General Statement 6 – Zoning.

  IDEM, OAQ does not fund or provide resources that would assist in the restoration of lost trees/plants to improve the oxygen-producing environment surrounding the immediate and outlying areas of the proposed Hatchworks LLC data center site.

No changes to the draft permit were made as a result of these comments.

Additional Changes

IDEM, OAQ made additional revisions to the permit as described below, with deleted language as strikeouts and new language bolded.

(1) General Source Phone Number has been corrected in section A.1:

A.1 General Information [326 IAC 2-7-4(c)][326 IAC 2-7-5(14)][326 IAC 2-7-1(22)]

...

General Source Phone Number: ~~(763) 591-5476~~ **(650) 495-3224**

(2) Preventive Maintenance Plan conditions have been added in Sections D.1, E.1 and E.2. Subsequent conditions have been re-numbered due to this addition:

...

D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

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

E.1.3 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

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

E.2.3 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

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

(3) Change has been made in Section D.1.4:

D.1.4 Record Keeping Requirement

(a) To document the compliance status with Condition D.1.1, the Permittee shall maintain records of the following:

...

(3) NOx emission calculations performed using the equation found in Condition D.1.~~23~~**3**, on a monthly basis and each compliance period.

(4) The PART 70 OPERATING PERMIT CERTIFICATION has been revised to add the Email Address:

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:	
Email Address:	Phone:
Date:	

IDEM Contact

(a) If you have any questions regarding this permit, please contact Omar El-Rjoob, 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) 232-4971 or (800) 451-6027, and ask for Omar El-Rjoob or (317) 232-4971.

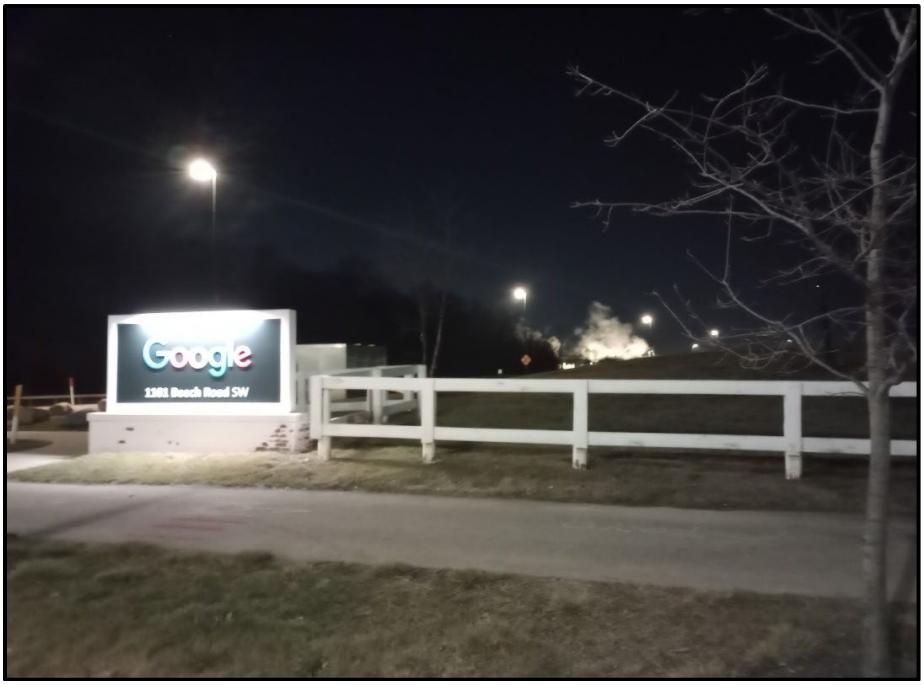
(b) A copy of the findings is available on the Internet at: http://www.in.gov/ai/appfiles/idem-caats/

(c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on the Internet at: https://www.in.gov/idem/airpermit/public-participation/; and the Citizens' Guide to IDEM on the Internet at: https://www.in.gov/idem/resources/citizens-guide-to-idem/.

Source Background and Description

Source Name:	**Hatchworks LLC**
Source Location:	**7510 Zodiac Way, Fort Wayne, IN 46816**
County:	**Allen**
SIC Code:	**7374 (Computer Processing and Data Preparation and Processing Services)**
Operation Permit No.:	**NSC/T003-47378-00530**
Permit Reviewer:	**Omar El-Rjoob**

Below are photographs associated with the comments submitted by Gina M. Burgess:

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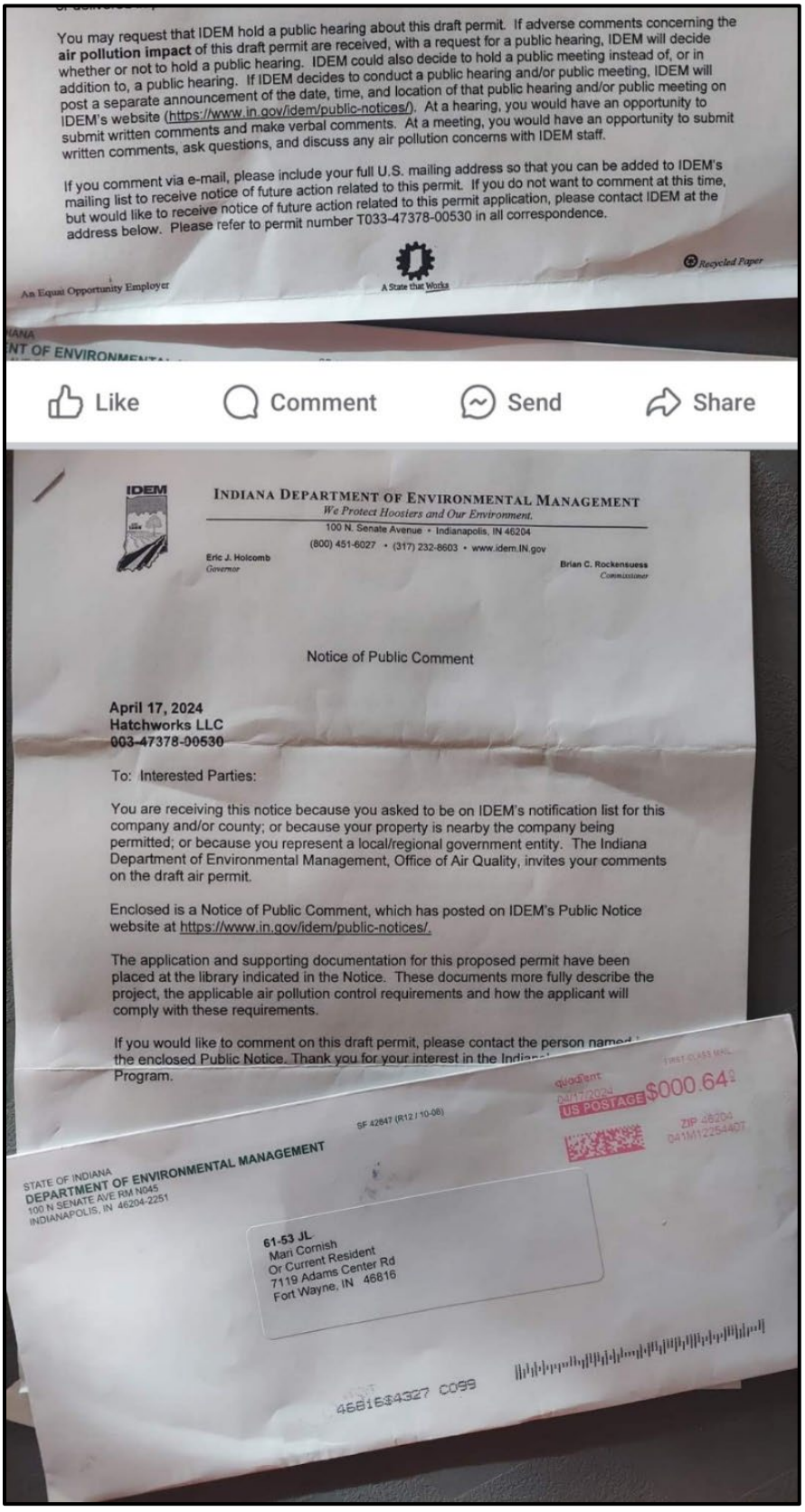

You may request that IDEM hold a public hearing about this draft permit. If adverse comments concerning the **air pollution impact** of this draft permit are received, with a request for a public hearing, IDEM will decide whether or not to hold a public hearing. IDEM could also decide to hold a public meeting instead of, or in addition to, a public hearing. If IDEM decides to conduct a public hearing and/or public meeting, IDEM will post a separate announcement of the date, time, and location of that public hearing and/or public meeting on IDEM's website (https://www.in.gov/idem/public-notices/). At a hearing, you would have an opportunity to submit written comments and make verbal comments. At a meeting, you would have an opportunity to submit written comments, ask questions, and discuss any air pollution concerns with IDEM staff.

If you comment via e-mail, please include your full U.S. mailing address so that you can be added to IDEM's mailing list to receive notice of future action related to this permit. If you do not want to comment at this time, but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to permit number T033-47378-00530 in all correspondence.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

Notice of Public Comment

April 17, 2024
Hatchworks LLC
003-47378-00530

To: Interested Parties:

You are receiving this notice because you asked to be on IDEM's notification list for this company and/or county; or because your property is nearby the company being permitted; or because you represent a local/regional government entity. The Indiana Department of Environmental Management, Office of Air Quality, invites your comments on the draft air permit.

Enclosed is a Notice of Public Comment, which has posted on IDEM's Public Notice website at https://www.in.gov/idem/public-notices/.

The application and supporting documentation for this proposed permit have been placed at the library indicated in the Notice. These documents more fully describe the project, the applicable air pollution control requirements and how the applicant will comply with these requirements.

If you would like to comment on this draft permit, please contact the person named in the enclosed Public Notice. Thank you for your interest in the Indiana Program.

SF 42847 (R12 / 10-06)

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
100 N SENATE AVE RM N045
INDIANAPOLIS, IN 46204-2251

61-53 JL
Mari Cornish
Or Current Resident
7119 Adams Center Rd
Fort Wayne, IN 46816

FIRST-CLASS MAIL
04/17/2024
US POSTAGE $000.64
ZIP 46204
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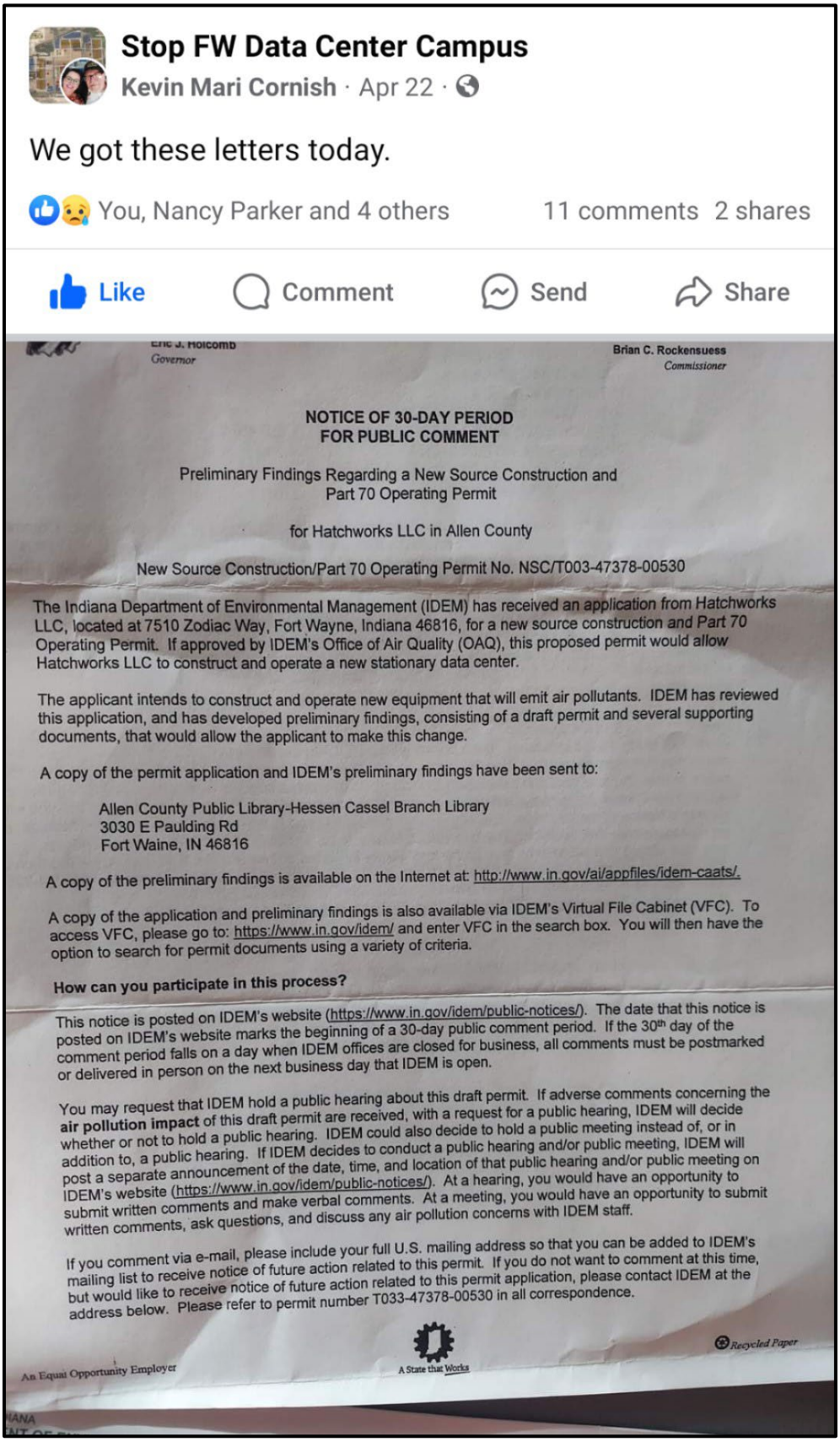

Stop FW Data Center Campus
Kevin Mari Cornish · Apr 22 ·

We got these letters today.

You, Nancy Parker and 4 others 11 comments 2 shares

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

NOTICE OF 30-DAY PERIOD
FOR PUBLIC COMMENT

Preliminary Findings Regarding a New Source Construction and
Part 70 Operating Permit

for Hatchworks LLC in Allen County

New Source Construction/Part 70 Operating Permit No. NSC/T003-47378-00530

The Indiana Department of Environmental Management (IDEM) has received an application from Hatchworks LLC, located at 7510 Zodiac Way, Fort Wayne, Indiana 46816, for a new source construction and Part 70 Operating Permit. If approved by IDEM's Office of Air Quality (OAQ), this proposed permit would allow Hatchworks LLC to construct and operate a new stationary data center.

The applicant intends to construct and operate new equipment that will emit air pollutants. IDEM has reviewed this application, and has developed preliminary findings, consisting of a draft permit and several supporting documents, that would allow the applicant to make this change.

A copy of the permit application and IDEM's preliminary findings have been sent to:

Allen County Public Library-Hessen Cassel Branch Library
3030 E Paulding Rd
Fort Waine, IN 46816

A copy of the preliminary findings is available on the Internet at: http://www.in.gov/ai/appfiles/idem-caats/.

A copy of the application and preliminary findings is also available via IDEM's Virtual File Cabinet (VFC). To access VFC, please go to: https://www.in.gov/idem/ and enter VFC in the search box. You will then have the option to search for permit documents using a variety of criteria.

How can you participate in this process?

This notice is posted on IDEM's website (https://www.in.gov/idem/public-notices/). The date that this notice is posted on IDEM's website marks the beginning of a 30-day public comment period. If the 30th day of the comment period falls on a day when IDEM offices are closed for business, all comments must be postmarked or delivered in person on the next business day that IDEM is open.

You may request that IDEM hold a public hearing about this draft permit. If adverse comments concerning the **air pollution impact** of this draft permit are received, with a request for a public hearing, IDEM will decide whether or not to hold a public hearing. IDEM could also decide to hold a public meeting instead of, or in addition to, a public hearing. If IDEM decides to conduct a public hearing and/or public meeting, IDEM will post a separate announcement of the date, time, and location of that public hearing and/or public meeting on IDEM's website (https://www.in.gov/idem/public-notices/). At a hearing, you would have an opportunity to submit written comments and make verbal comments. At a meeting, you would have an opportunity to submit written comments, ask questions, and discuss any air pollution concerns with IDEM staff.

If you comment via e-mail, please include your full U.S. mailing address so that you can be added to IDEM's mailing list to receive notice of future action related to this permit. If you do not want to comment at this time, but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to permit number T033-47378-00530 in all correspondence.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

April 22, 2024

CERTIFICATE OF PUBLICATION

This is to certify that the Indiana Department of Environmental Management (IDEM) Notice of 30-Day Period for Public Comment regarding the following:

Permit Type: Draft Air Permit for Public Notice
Source Name: Hatchworks LLC
Permit Number: 003-47378-00530
Region: Northeastern
County: Allen

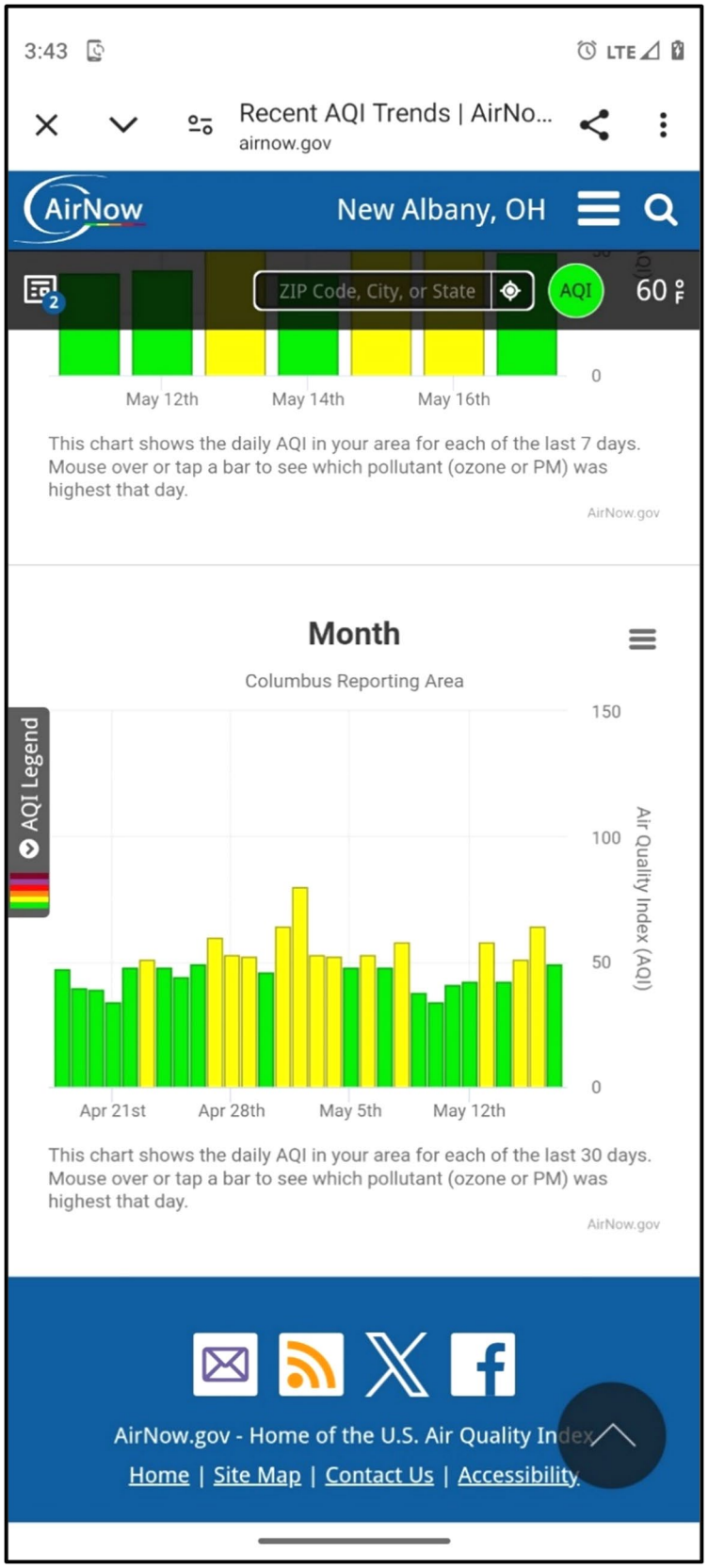
was published on IDEM's web site on April 18, 2024. It will remain posted on the site for at least 30 days.

The notice in full was available online at the following web address:
http://www.in.gov/idem/5474.htm

Web publication of the notice was at the request of Jenny Acker, Chief, Permits Branch, Office of Air Quality, IDEM.

By:

Kevin Bump
IDEM Webmaster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May 12th
May 14th
May 16th
This chart shows the daily AQI in your area for each of the last 7 days. Mouse over or tap a bar to see which pollutant (ozone or PM) was highest that day.
AirNow.gov
Month
Columbus Reporting Area
AQI Legend
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Air Quality Index (AQI)
Apr 21st
Apr 28th
May 5th
May 12th
This chart shows the daily AQI in your area for each of the last 30 days. Mouse over or tap a bar to see which pollutant (ozone or PM) was highest that day.
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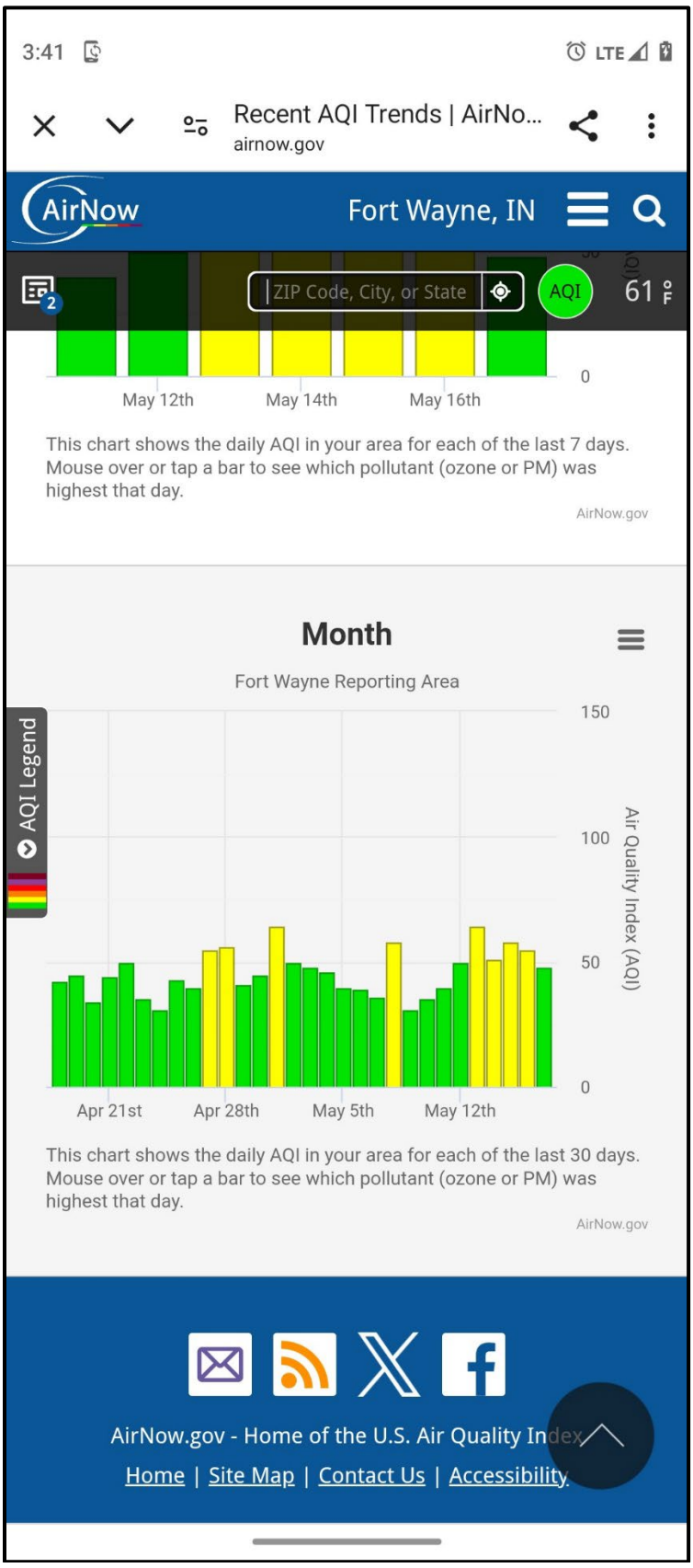
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May 12th
May 14th
May 16th
This chart shows the daily AQI in your area for each of the last 7 days. Mouse over or tap a bar to see which pollutant (ozone or PM) was highest that day.
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50
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Apr 21st
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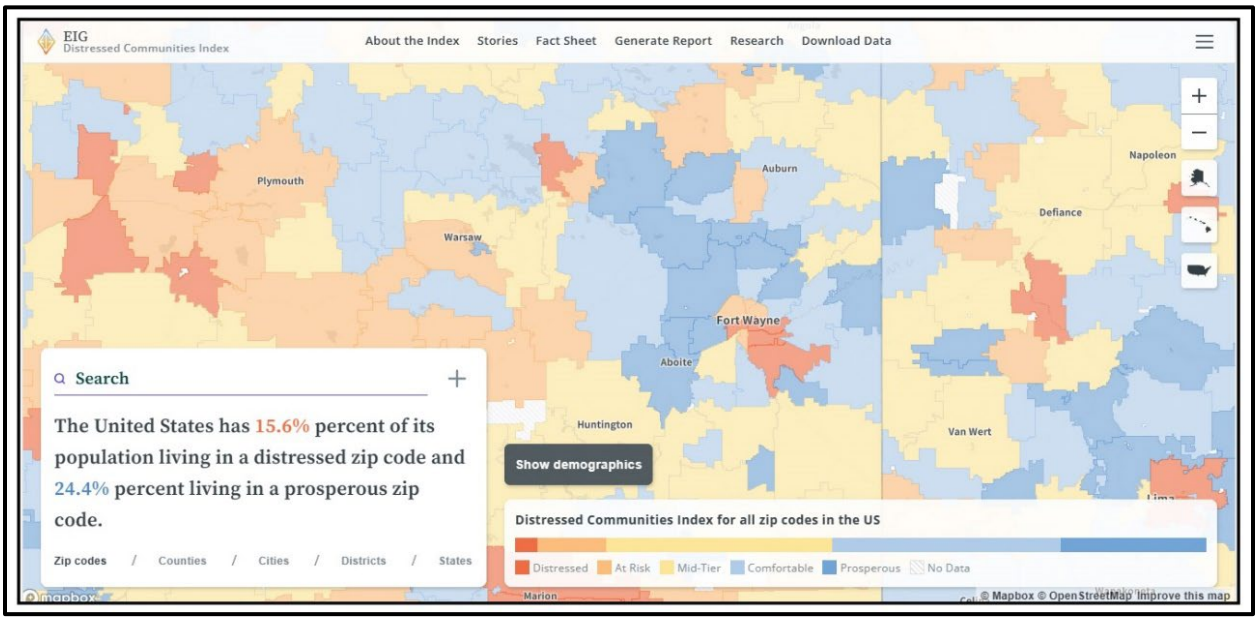
EIG
Distressed Communities Index
About the Index
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Fact Sheet
Generate Report
Research
Download Data
Plymouth
Warsaw
Auburn
Fort Wayne
Aboite
Huntington
Napoleon
Defiance
Van Wert
Search
The United States has 15.6% percent of its population living in a distressed zip code and 24.4% percent living in a prosperous zip code.
Zip codes / Counties / Cities / Districts / States
Show demographics
Distressed Communities Index for all zip codes in the US
Distressed
At Risk
Mid-Tier
Comfortable
Prosperous
No Data
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Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a New Source Construction and Part 70 Operating Permit

Source Description and Location

Source Name:	**Hatchworks LLC**
Source Location:	**7510 Zodiac Way, Fort Wayne, IN 46816**
County:	**Allen**
SIC Code:	**7374 (Computer Processing and Data Preparation and Processing Services)**
Operation Permit No.:	**NSC/T003-47378-00530**
Permit Reviewer:	**Omar El-Rjoob**

Existing Approvals

There have been no previous approvals issued to this source.

County Attainment Status

The source is located in Allen County.

Pursuant to amendments to Indiana Code IC 13-17-3-14, effective July 1, 2023, a federal regulation that classifies or amends a designation of attainment, nonattainment, or unclassifiable for any area in Indiana under the federal Clean Air Act is effective and enforceable in Indiana on the effective date of the federal regulation.

Pollutant	Designation
SO_2	Unclassifiable or attainment effective April 9, 2018, for the 2010 primary 1-hour SO_2 standard. Better than national secondary standards effective March 3, 1978.
CO	Unclassifiable or attainment effective November 15, 1990.
O_3	Unclassifiable or attainment effective January 16, 2018, for the 2015 8-hour ozone standard.
$PM_{2.5}$	Unclassifiable or attainment effective April 15, 2015, for the 2012 annual $PM_{2.5}$ standard.
$PM_{2.5}$	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour $PM_{2.5}$ standard.
PM_{10}	Unclassifiable effective November 15, 1990.
NO_2	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO_2 standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

(a) Ozone Standards
Volatile organic compounds (VOC) and Nitrogen Oxides (NO_x) 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 NO_x emissions are considered when evaluating the rule applicability relating to ozone. Allen County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NO_x emissions were reviewed pursuant to the requirements of Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(b) $PM_{2.5}$
Allen County has been classified as attainment for $PM_{2.5}$. Therefore, direct $PM_{2.5}$, SO_2, and NOx emissions were reviewed pursuant to the requirements of Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

(c) Other Criteria Pollutants
Allen County has been classified as attainment or unclassifiable in Indiana for all the other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

Fugitive Emissions

Since this type of operation is not one (1) of the twenty-eight (28) listed source categories under 326 IAC 2-2-1(ff)(1), 326 IAC 2-3-2(g), or 326 IAC 2-7-1(22)(B), and there is no applicable New Source Performance Standard or National Emission Standard for Hazardous Air Pollutants that was in effect on August 7, 1980, fugitive emissions are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

The fugitive emissions of hazardous air pollutants (HAP) are counted toward the determination of Part 70 Permit applicability and source status under Section 112 of the Clean Air Act (CAA).

Greenhouse Gas (GHG) Emissions

On June 23, 2014, in the case of *Utility Air Regulatory Group v. EPA*, cause no. 12-1146, (available at http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf) the United States Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHG emissions to determine operating permit applicability or PSD applicability to a source or modification.

Background and Description of Emission Units and Pollution Control Equipment

The Office of Air Quality (OAQ) has reviewed an application, submitted by Hatchworks LLC on December 27, 2023, relating to construction and operations of a stationary data center.

The following is a list of the proposed emission units and pollution control devices:

(a) Thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, approved in 2024 for construction, each with a maximum heat input capacity of 26.4 MMBTU per hour, using no control, and exhausting to stacks SV 1 through SV 34.

[Under NSPS 40 CFR 60, Subpart IIII, these emergency generators are affected sources.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, these emergency generators are affected sources.]

(b) One (1) diesel-fired emergency guard house generator, identified as DEGH1, approved in 2024 for construction, with a maximum heat input capacity of 4.5 MMBTU per hour, using no control, and exhausting to stack SV 35.

[Under NSPS 40 CFR 60, Subpart IIII, this emergency generator is an affected source.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, this emergency generator is an affected source.]

(c) One (1) diesel-fired emergency fire pump, identified as DEP1, approved in 2024 for construction, with a maximum heat input capacity of 3.9 MMBTU per hour, using no control, and exhausting to stack SV 36.

[Under NSPS 40 CFR 60, Subpart IIII, this emergency fire pump is an affected source.]

[Under NESHAP 40 CFR 63, Subpart ZZZZ, this emergency fire pump is an affected source.]

(d) Thirty-six (36) diesel storage tanks, identified as DST1 through DST36, approved in 2024 for construction, each with a maximum capacity of 6,000 gallons, and no controls.

(e) Fifteen (15) cooling towers, identified as CT1 through CT15, approved in 2024 for construction, each with a maximum recirculation rate of 6,000 gallons per minute, using no control, and exhausting outdoors.

Enforcement Issues

There are no pending enforcement actions related to this source.

Emission Calculations

See Appendix A of this Technical Support Document for detailed emission calculations.

Permit Level Determination – Part 70 New Source Construction

Pursuant to 326 IAC 2-7-1(30), Potential to Emit is defined as "the maximum capacity of a stationary source 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."

The following table is used to determine the appropriate permit level under 326 IAC 2-7. This table reflects the unrestricted potential emissions of the source. If the control equipment has been determined to be integral, the table reflects the potential to emit (PTE) after consideration of the integral control device.

	Unrestricted Potential Emissions (ton/year)								
	PM[1]	**PM_{10}[1]**	**$PM_{2.5}$[1, 2]**	**SO_2**	**NO_X**	**VOC**	**CO**	**Single HAP[3]**	**Total HAPs**
Total PTE of Entire Source Excluding Fugitives*	**16.36**	**15.47**	**14.64**	**0.95**	**476.76**	**43.29**	**129.50**	**0.18**	**0.39**
Title V Major Source Thresholds	NA	100	100	100	100	100	100	10	25
PSD Major Source Thresholds	250	250	250	250	250	250	250	--	--

[1]Under the Part 70 Permit program (40 CFR 70), PM_{10} and $PM_{2.5}$, not particulate matter (PM), are each considered as a "regulated air pollutant."
[2]$PM_{2.5}$ listed is direct $PM_{2.5}$.
[3]Single highest source-wide HAP
*Fugitive HAP emissions are always included in the source-wide emissions.

Appendix A of this TSD reflects the detailed unrestricted potential emissions of the source.

(a) The potential to emit (as defined in 326 IAC 2-7-1(30)) of NOx and CO are equal to or greater than one hundred (100) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7 and will be issued a Part 70 Operating Permit.

(b) The potential to emit (as defined in 326 IAC 2-7-1(30)) of any single HAP is less than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(30)) of a combination of HAPs is less than twenty-five (25) tons per year. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

PTE of the Entire Source After Issuance

The table below summarizes the after issuance source-wide potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of the Part 70 New Source Review Permit, and only to the extent that the effect of the control equipment is made practically enforceable in the permit. If the control equipment has been determined to be integral, the table reflects the potential to emit (PTE) after consideration of the integral control device.

	Source-Wide Emissions After Issuance (ton/year)								
	PM[1]	**PM_{10}[1]**	**$PM_{2.5}$[1, 2]**	**SO_2**	**NO_X**	**VOC**	**CO**	**Single HAP[3]**	**Total HAPs**
Total PTE of Entire Source Excluding Fugitives*	**16.36**	**15.47**	**14.64**	**0.95**	**249.26**	**43.29**	**129.50**	**0.18**	**0.39**
Title V Major Source Thresholds	NA	100	100	100	100	100	100	10	25
PSD Major Source Thresholds	250	250	250	250	250	250	250	--	--

[1]Under the Part 70 Permit program (40 CFR 70), PM_{10} and $PM_{2.5}$, not particulate matter (PM), are each considered as a "regulated air pollutant."

[2]$PM_{2.5}$ listed is direct $PM_{2.5}$.

[3]Single highest source-wide HAP

*Fugitive HAP emissions are always included in the source-wide emissions.

Appendix A of this TSD reflects the detailed potential to emit of the entire source after issuance.

(a) This new source is not a major stationary source, under PSD (326 IAC 2-2), because the emissions of each PSD regulated pollutant are less than the PSD major source thresholds. Therefore, pursuant to 326 IAC 2-2, the PSD requirements do not apply.

(b) This source is not a major source of HAP, as defined in 40 CFR 63.2, because HAP 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).

Federal Rule Applicability Determination

Federal rule applicability for this source has been reviewed as follows:

New Source Performance Standards (NSPS):

(a) The following are subject to the New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines,40 CFR 60, Subpart IIII and 326 IAC 12, because these units are stationary compression ignition (CI) internal combustion engines (ICE) that will be constructed after 2007:

(i) Thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, approved in 2024 for construction, each with a maximum heat input capacity of 26.4 MMBTU per hour, using no control, and exhausting to stacks SV 1 through SV 34.

(ii) One (1) diesel-fired emergency guard house generator, identified as DEGH1, approved in 2024 for construction, with a maximum heat input capacity of 4.5 MMBTU per hour, using no control, and exhausting to stack SV 35.

The above mentioned diesel-fired emergency generators are subject to the following portions of Subpart IIII:

(1) 40 CFR 60.4200(a)(1)(i) and (a)(4)
(2) 40 CFR 60.4205(b)
(3) 40 CFR 60.4206
(4) 40 CFR 60.4207(b)
(5) 40 CFR 60.4208
(6) 40 CFR 60.4209(a)
(7) 40 CFR 60.4211(a), (c) and (f)
(8) 40 CFR 60.4214(b) and (d)
(9) 40 CFR 60.4218
(10) 40 CFR 60.4219
(11) Table 5 of 40 CFR 60, Subpart IIII
(12) Table 8 of 40 CFR 60, Subpart IIII

The requirements of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated as 326 IAC 12-1, apply to the diesel-fired emergency generators except as otherwise specified in 40 CFR 60, Subpart IIII.

(b) The one diesel-fired emergency fire pump is subject to the New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines, 40 CFR 60, Subpart IIII and 326 IAC 12, because the fire pump was designated as such by the NFPA after July 1, 2006. The diesel-fired emergency fire pump subject to this rule includes the following:

The diesel-fired emergency fire pump is subject to the following portions of Subpart IIII:

(1) 40 CFR 60.4200(a)(2)(ii) and (a)(4)
(2) 40 CFR 60.4205(c)
(3) 40 CFR 60.4206
(4) 40 CFR 60.4207(b)
(5) 40 CFR 60.4208
(6) 40 CFR 60.4209(a)
(7) 40 CFR 60.4211(a), (c) and (f)
(8) 40 CFR 60.4214(b) and (d)
(9) 40 CFR 60.4218 (a)
(10) 40 CFR 60.4219
(11) Table 4 of 40 CFR 60, Subpart IIII
(12) Table 5 of 40 CFR 60, Subpart IIII
(13) Table 8 of 40 CFR 60, Subpart IIII

The requirements of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated as 326 IAC 12-1, apply to the diesel-fired emergency fire pump except as otherwise specified in 40 CFR 60, Subpart IIII.

(c) The requirements of the New Source Performance Standard for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, 40 CFR 60, Subpart Kb and 326 IAC 12, are not

applicable to the permit for diesel storage tanks because each storage tank has a capacity less than 75 cubic meters.

(d) There are no other New Source Performance Standards (40 CFR Part 60) and 326 IAC 12 included in the permit for this proposed new source.

National Emission Standards for Hazardous Air Pollutants (NESHAP):

(a) The following diesel-fired emergency generators are subject to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63, Subpart ZZZZ, which is incorporated by reference as 326 IAC 20-82, because the diesel-fired emergency generators are Reciprocating Internal Combustion Engines (RICE), and are located in an area source of HAP emissions:

(i) Thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, approved in 2024 for construction, each with a maximum heat input capacity of 26.4 MMBTU per hour, using no control, and exhausting to stacks SV 1 through SV 34.

(ii) One (1) diesel-fired emergency guard house generator, identified as DEGH1, approved in 2024 for construction, with a maximum heat input capacity of 4.5 MMBTU per hour, using no control, and exhausting to stack SV 35.

The above mentioned diesel fired emergency generators are subject to the following portions of Subpart ZZZZ:

(1) 40 CFR 63.6585(a), (c), and (d)
(2) 40 CFR 63.6590(a)(2)(iii) and (c)(1)

The requirements of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated as 326 IAC 20-1, apply to the diesel-fired emergency generators except as otherwise specified in 40 CFR 63, Subpart ZZZZ.

(b) The one diesel-fired emergency fire pump is subject to the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63, Subpart ZZZZ which is incorporated by reference as 326 IAC 20-82, because the diesel-fired emergency fire pump is Reciprocating Internal Combustion Engines (RICE), and are located in an area source of HAP emissions:

The diesel-fired emergency fire pump is subject to the following portions of Subpart ZZZZ:

(1) 40 CFR 63.6585(a), (c), and (d)
(2) 40 CFR 63.6590(a)(2)(iii) and (c)(1)

The requirements of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated as 326 IAC 20-1, apply to the diesel-fired emergency fire pump except as otherwise specified in 40 CFR 63, Subpart ZZZZ.

(c) There are no other National Emission Standards for Hazardous Air Pollutants under 40 CFR 63, 326 IAC 14 and 326 IAC 20 included for this proposed new source.

Compliance Assurance Monitoring (CAM):

(a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to each pollutant-specific emission unit that meets the following criteria:
(1) has a potential to emit before controls equal to or greater than the major source threshold for the regulated pollutant involved;

(2) is subject to an emission limitation or standard for that pollutant (or a surrogate thereof); and
(3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.

(b) Pursuant to 40 CFR 64.2(b)(1)(i), emission limitations or standards proposed after November 15, 1990 pursuant to a NSPS or NESHAP under Section 111 or 112 of the Clean Air Act are exempt from the requirements of CAM. Therefore, an evaluation was not conducted for any emission limitations or standards proposed after November 15, 1990 pursuant to a NSPS or NESHAP under Section 111 or 112 of the Clean Air Act.

Based on this evaluation, the requirements of 40 CFR Part 64, CAM, are not applicable to any of the units as part of this new source construction permit (Units do not have control devices).

State Rule Applicability - Entire Source

State rule applicability for this source has been reviewed as follows:

326 IAC 2-2 (PSD)
PSD and Emission Offset applicability is discussed under the PTE of the Entire Source After Issuance section of this document.

PSD Minor Source Limits

The NOx PTE is greater than 250 tons per year.

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

The total NOx emissions from the thirty-four (34) diesel-fired emergency generators, identified as Gen1 through Gen 34, shall not exceed 240 tons per twelve (12) consecutive month period, with compliance determined at the end of each month.

These NOx emissions are approximately equivalent to 165,000 gallons/year.

Since these are emergency generators, each generator is also limited to 500 hours of operation per year.

Compliance with these limits, combined with the potential to emit NOx from all other emission units at this source, shall limit the source-wide total potential to emit of NOx to less than 250 tons per twelve (12) consecutive month period, and shall render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))
The provisions of 326 IAC 2-4.1 apply to any owner or operator who constructs or reconstructs a major source of hazardous air pollutants (HAP), as defined in 40 CFR 63.41, after July 27, 1997, unless the major source has been specifically regulated under or exempted from regulation under a NESHAP that was issued pursuant to Section 112(d), 112(h), or 112(j) of the Clean Air Act (CAA) and incorporated under 40 CFR 63. On and after June 29, 1998, 326 IAC 2-4.1 is intended to implement the requirements of Section 112(g)(2)(B) of the Clean Air Act (CAA).

The operation of this source 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 2-6 (Emission Reporting)
This source is subject to the requirements of 326 IAC 2-6 (Emission Reporting), since it is required to have an operating permit under 326 IAC 2-7, Part 70 Permit Program. Pursuant to 326 IAC 2-6-3(a)(2), the Permittee shall submit triennially, by July 1, an emission statement covering the previous calendar

year in accordance with the compliance schedule in 326 IAC 2-6-3. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

326 IAC 2-7-6(5) (Annual Compliance Certification)
The U.S. EPA Federal Register 79 FR 54978 notice does not exempt Title V Permittees from the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D), but the submittal of the Title V annual compliance certification to IDEM satisfies the requirement to submit the Title V annual compliance certifications to EPA. IDEM does not intend to revise any permits since the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D) still apply, but Permittees can note on their Title V annual compliance certifications that submission to IDEM has satisfied reporting to EPA per Federal Register 79 FR 54978. This only applies to Title V Permittees and Title V compliance certifications.

326 IAC 5-1 (Opacity Limitations)
This source is subject to the opacity limitations specified in 326 IAC 5-1-2(1)

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

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)
This source is not subject to the requirements of 326 IAC 6-5, because the source has potential fugitive particulate emissions of less than twenty-five (25) tons per year.

326 IAC 6.5 (Particulate Matter Limitations Except Lake County)
Pursuant to 326 IAC 6.5-1-1(a), this source (located in Allen County) is not subject to the requirements of 326 IAC 6.5 because it is not located in one of the following counties: Clark, Dearborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo or Wayne.

326 IAC 6.8 (Particulate Matter Limitations for Lake County)
Pursuant to 326 IAC 6.8-1-1(a), this source (located in Allen County) is not subject to the requirements of 326 IAC 6.8 because it is not located in Lake County.

State Rule Applicability – Individual Facilities

State rule applicability for this source has been reviewed as follows:

Thirty-four (34) diesel-fired emergency generators and one (1) diesel-fired emergency guard house generator

326 IAC 6-2-1 (Particulate Emission Limitations for Sources of Indirect Heating)
Pursuant to 326 IAC 6-2-1(a), the thirty-five (35) diesel-fired emergency generators are not subject to the requirements of 326 IAC 6-3, since these units are not sources of indirect heating.

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)
The thirty-five (35) diesel-fired emergency generators are each exempt from the requirements of 326 IAC 6-3, because, pursuant to 326 IAC 1-2-59, liquid and gaseous fuels and combustion air are not considered as part of the process weight.

326 IAC 7-1.1 Sulfur Dioxide Emission Limitations
The thirty-five (35) diesel-fired emergency generators are not subject to 326 IAC 326 IAC 7-1.1 because they have a potential to emit (or limited potential to emit) sulfur dioxide (SO2) of less than 25 tons per year or 10 pounds per hour.

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)
The thirty-five (35) diesel-fired emergency generators are not subject to the requirements of 326 IAC 8-1-6 because the unlimited VOC potential emissions for each unit is less than twenty-five (25) tons per year.

326 IAC 9-1 (Carbon Monoxide Emission Limits)
The requirements of 326 IAC 9-1 do not apply to the thirty-five (35) diesel-fired emergency generators, because this source does not operate a catalyst regeneration petroleum cracking system or a petroleum fluid coker, grey iron cupola, blast furnace, basic oxygen steel furnace, or other ferrous metal smelting equipment.

326 IAC 10-3 (Nitrogen Oxide Reduction Program for Specific Source Categories)
The requirements of 326 IAC 10-3 do not apply to the thirty-five (35) diesel-fired emergency generators, since these units are not blast furnace gas-fired boilers, Portland cement kilns, or facilities specifically listed under 326 IAC 10-3-1(a)(2).

One (1) diesel-fired fire emergency pump

326 IAC 6-2-1 (Particulate Emission Limitations for Sources of Indirect Heating)
Pursuant to 326 IAC 6-2-1(a), the one diesel-fired emergency fire pump is not subject to the requirements of 326 IAC 6-3, since these units are not sources of indirect heating.

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)
The one diesel-fired emergency fire pump is exempt from the requirements of 326 IAC 6-3, because, pursuant to 326 IAC 1-2-59, liquid and gaseous fuels and combustion air are not considered as part of the process weight.

326 IAC 7-1.1 Sulfur Dioxide Emission Limitations
The one diesel-fired emergency fire pump is not subject to 326 IAC 326 IAC 7-1.1 because it has a potential to emit (or limited potential to emit) sulfur dioxide (SO2) of less than 25 tons per year or 10 pounds per hour.

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)
Even though this diesel-fired emergency fire pump was constructed after January 1, 1980, it is not subject to the requirements of 326 IAC 8-1-6 because the unlimited VOC potential emissions are less than twenty-five (25) tons per year.

326 IAC 9-1 (Carbon Monoxide Emission Limits)
The requirements of 326 IAC 9-1 do not apply to the one diesel-fired emergency fire pump, because this source does not operate a catalyst regeneration petroleum cracking system or a petroleum fluid coker, grey iron cupola, blast furnace, basic oxygen steel furnace, or other ferrous metal smelting equipment.

326 IAC 10-3 (Nitrogen Oxide Reduction Program for Specific Source Categories)
The requirements of 326 IAC 10-3 do not apply to the one diesel-fired emergency fire pump, since it is not blast furnace gas-fired boilers, Portland cement kilns, or facilities specifically listed under 326 IAC 10-3-1(a)(2).

Thirty-six (36) diesel storage tanks

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)
Even though the thirty-six (36) diesel storage tanks were constructed after January 1, 1980, they are not subject to the requirements of 326 IAC 8-1-6 because their unlimited VOC potential emissions are less than twenty-five (25) tons per year.

Fifteen (15) cooling towers

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)
Pursuant to 326 IAC 6-3-1(b)(14), the fifteen (15) cooling towers are not subject to the requirements of 326 IAC 6-3 since each has a PM potential emissions of less than five hundred fifty-one thousandths (0.551) pounds per hour.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to assure 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.

(a) The Compliance Determination Requirements applicable to this source are as follows:

The Permittee shall determine NO_x emissions from the thirty-four (34) diesel-fired emergency generators, identified as Gen 1 through Gen 34, according to the following equation:

$$\text{NOx emissions (tons/month)} = \sum_{n=1}^{34} \frac{DFU_{\leq 25\%\ load,i} * EF_{\leq 25\%\ load} + DFU_{>25\%\ load,i} * EF_{>25\%\ load}}{2{,}000\ lbs/ton}$$

Where:

$DFU_{\leq 25\%\ load,\ i}$ = Diesel fuel used by diesel-fired emergency generator Gen i (gallons/month) operating at or below 25% electric load
$DFU_{>25\%\ load,\ i}$ = Diesel fuel used by diesel-fired emergency generator Gen i (gallons/month) operating above 25% electric load
$EF_{\leq 25\%\ load}$ = 0.6 lbs of NOx per gallon of diesel fuel for Gen i when operating at or below 25% electric load
$EF_{>25\%\ load}$ = 0.3 lbs of NOx per gallon of diesel fuel for Gen i when operating above 25% electric load

(NOx emission factors (lb/gal) are derived from the vendor's emission data sheet by calculating the emission factor at varying electric loads (10%, 25%, 50%, 75%, 100%) and then selecting the worst-case lb/gal emission rate for low electric loads (≤25%) and for loads > 25%.)

Whenever an emergency generator is operated, the percent (%) load is indicated either in the control room and/or can be determined from information displayed on the engine control panel.

(b) There are no Compliance Monitoring Requirements applicable to this source.

Conclusion and Recommendation

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant. An application for the purposes of this review was received on December 22, 2023.

The construction and operation of this source shall be subject to the conditions of the attached proposed New Source Construction and Part 70 Operating Permit No. 003-47378-00530. The staff recommends to the Commissioner that the New Source Construction and Part 70 Operating Permit be approved.

IDEM Contact

(a) If you have any questions regarding this permit, please contact Omar El-Rjoob, 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) 232-4971 or (800) 451-6027, and ask for Omar El-Rjoob or (317) 232-4971.

(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 Air Permits page on the Internet at: https://www.in.gov/idem/airpermit/public-participation/; and the Citizens' Guide to IDEM on the Internet at: https://www.in.gov/idem/resources/citizens-guide-to-idem/.

Appendix A: Emission Calculations
Emissions Summary

Company Name: Hatchworks LLC
Source Location: 7510 Zodiac Way, Fort Wayne, IN 46816
Operating Permit No: T003-47378-00530
Reviewer: Omar El-Rjoob

Unlimited Potential to Emit (tons/yr)									
Emission Units	**PM**	**PM-10**	**PM 2.5**	**SO2**	**NOx**	**VOC**	**CO**	**Total HAPS**	**Worst Single HAP**
Emergency Generators (Gen 1 to Gen 34)	12.75	12.75	12.75	0.34	467.50	42.50	127.50	0.39	0.17
Guard House Emergency Generator (DEGH1)	0.35	0.35	0.35	0.33	4.96	0.41	1.07	0.00	0.00
Diesel Fire Pump (DEP1)	0.30	0.30	0.30	0.28	4.30	0.35	0.93	0.00	0.00
Diesel Storage Tanks (DST1 to DST36)	-	-	-	-	-	0.03	-	-	-
Cooling Towers (CT1 to CT15)	2.96	2.07	1.24	-	-	-	-	-	-
Total	**16.36**	**15.47**	**14.64**	**0.95**	**476.76**	**43.29**	**129.50**	**0.39**	**0.18**

Limited Potential to Emit (tons/yr)									
Emission Units	**PM**	**PM-10**	**PM 2.5**	**SO2**	**NOx**	**VOC**	**CO**	**Total HAPS**	**Worst Single HAP**
Emergency Generators (Gen 1 to Gen 34)	12.75	12.75	12.75	0.34	240	42.50	127.50	0.39	0.17
Guard House Emergency Generator (DEGH1)	0.3	0.3	0.3	0.3	5.0	0.4	1.1	0.00	0.00
Diesel Fire Pump (DEP1)	0.30	0.30	0.30	0.28	4.30	0.35	0.93	0.00	0.00
Diesel Storage Tanks (DST1 to DST36)	-	-	-	-	-	0.03	-	-	-
Cooling Towers (CT1 to CT15)	2.96	2.07	1.24	-	-	-	-	-	-
Total	**16.36**	**15.47**	**14.64**	**0.95**	**249.26**	**43.29**	**129.50**	**0.39**	**0.18**

Shaded cells indicate permit limits.

Appendix A: Emission Calculations
Large Reciprocating Internal Combustion Engines - Diesel Fuel (Gen 1 through Gen 34)
Output Rating (>600 HP)
Maximum Input Rate (>4.2 MMBtu/hr)

Company Name: Hatchworks LLC
Source Location: 7510 Zodiac Way, Fort Wayne, IN 46816
Operating Permit No: T003-47378-00530
Reviewer: Omar El-Rjoob

Emissions calculated based on heat input capacity (MMBtu/hr)

Sulfur Content (S) of Fuel (% by weight)	0.0015
Number of Generators	34

Fuel Consumption and Heat Input by Load - Vendor Provided Performance Data

	Vendor 1: Cat 3516 Engine EPA Tier 2 Emissions Data Sheet				
Percent Loads	100%	75%	50%	25%	10%
Fuel Capacity (gal/hr) per generator	192.9	147.3	107.5	62.9	36.1
Heat Input (MMBtu/hr) per generator	**26.4**	20.2	14.7	8.6	4.9

	Vendor 2: Rolls Royce Tier 2 Emissions Data Sheet and MTU Spec Sheet				
Percent Loads	100%	75%	50%	25%	10%
Engine Power (HP)				1,007	401
Fuel Capacity (gal/hr) per generator	186	146	104	51.4	20.5
Heat Input (MMBtu/hr) per generator	**25.5**	20.0	14.3	7.0	2.8

Refer to manufacturer performance data for engine model, which are part of the application.

Diesel fuel consumption was converted to heat input based on the diesel high heating value from the USEPA's AP-42, Section 3.4, Large Stationary Diesel and All Stationary Dual-fuel Engines, Table 3.4-1, footnote a (October 1996): Diesel fuel consumption for the Rolls Royce engine at 25% and 10% load not included in the documentation and were calculated using an EPA default heat rate of 7,000 Btu/hp-hr from AP-42, Section 3.4, Table 3.4-1, footnote e.

Diesel HHV =	0.137	MMBtu/gal
Engine Heat Rate =	7,000	Btu/hp-hr
Hours of Operation (hr/yr)	500	hr/year

Methodology
Heat Input (MMBtu/hr/gen) = Fuel Capacity (gal/hr/gen) * Diesel HHV (MMBtu/gal)

Hourly Emission Rates - Vendor Provided Emissions Data

Criteria Pollutants	Vendor 1: CAT Emission Rate (lb/hr) per generator					
	100% Load	75% Load	50% Load	25% Load	10% Load	Maximum (lb/hr)
NO_x	**52.91**	32.44	16.79	9.27	10.27	**52.91**
CO	**10.22**	3.74	2.62	4.17	4.13	**10.22**
VOC	**0.89**	0.84	0.78	0.71	0.55	**0.89**
PM/PM10/PM2.5	**0.64**	0.35	0.34	0.37	0.25	**0.64**

Criteria Pollutants	Vendor 2: Rolls Royce Emission Rate (lb/hr) per generator					
	100% Load	75% Load	50% Load	25% Load	10% Load	Maximum
NO_x	**53.37**	35.08	20.24	8.57	12.15	**53.37**
CO	**12.12**	9.55	3.96	4.11	7.08	**12.12**
VOC	1.34	1.34	1.60	2.35	**3.84**	**3.84**
PM/PM10/PM2.5	0.86	**1.13**	0.51	0.57	0.92	**1.13**

(Generic Maximum to Account for Multiple Engine Vendors lb/hr)
55.0
15.0
5.0
1.5

The source maximized the emission factors and used these factors in the calculation.

Notes

Refer to manufacturer performance data for engine model, which are part of the application.

Assumes that all hydrocarbons (HC) are VOC.
Assumes that all filterable PM is less than 2.5 microns in diameter (i.e., PM = PM_{10} = $PM_{2.5}$).

	Pollutant (SO2)
	SO2
SO2 Emission Factor in lb/MMBtu	0.002 *(1.01S)*

The SO_2 emission factor was calculated based on the maximum allowable diesel fuel sulfur content under NSPS Subpart IIII:

Diesel Sulfur Content =	0.0015	wt.% Sulfur

	HAPs Emissions Factors							
	Benzene	Toluene	Xylene	Formaldehyde	Acetaldehyde	Acrolein	Naphthalene	Total PAH HAPs***
Emission Factor in lb/MMBtu	7.76E-04	2.81E-04	1.93E-04	7.89E-05	2.52E-05	7.88E-06	1.30E-04	2.12E-04

Notes:
***PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.4-1 , 3.4-2, 3.4-3, and 3.4-4.

Fuel Usage-Based Emission Rates

Pollutants	Vendor 1: CAT Emission Rate (lb/gal)					
	100% Load	75% Load	50% Load	25% Load	10% Load	Emission Factor (lb/gal)
NO_x	0.274	0.220	0.156	0.147	**0.284**	**0.284**
CO	0.05	0.03	0.02	0.07	**0.11**	**0.11**
VOC	0.00	0.01	0.01	0.01	**0.02**	**0.02**
PM/PM10/PM2.5	0.00	0.00	0.00	0.01	**0.01**	**0.01**

Fuel Usage-Based Emission Rates

Pollutants	Vendor 2: Rolls Royce Emission Rate (lb/gal)					
	100% Load	75% Load	50% Load	25% Load	10% Load	Emission Factor (lb/gal)
NO_x	0.287	0.240	0.195	0.167	**0.593**	**0.593**
CO	0.07	0.07	0.04	0.08	**0.35**	**0.35**
VOC	0.01	0.01	0.02	0.05	**0.19**	**0.19**
PM/PM10/PM2.5	0.00	0.01	0.00	0.01	**0.04**	**0.04**

Notes:
Assumes that all hydrocarbons (HC) are VOC.
Assumes that all filterable PM is less than 2.5 microns in diameter (i.e., PM = PM_{10} = $PM_{2.5}$).
NOx Emission Factors for Compliance Tracking Purposes as follows:

>25% electric load	≤25% electric load
0.6	**0.3**

Methodology
Emission Factor (lb/gal) = Emission Rate (lb/hr/gen) / Fuel Capacity (gal/hr/gen)
Emission Factor (lb/gal) for SO2 and Hazardous Air Pollutants = [Emission Factor in lb/MMBtu] * [Heat Input (MMBtu/hr/gen)] / [Fuel Capacity (gal/hr/gen)]

Potential Emissions

Pollutant	Emissions Per Generator	Total for 34 Generators	
	PTE	PTE	Limited PTE
	ton/yr	tons/yr	tons/yr
NO_x	13.75	467.50	**340**
CO	3.75	127.50	127.50
VOC	1.25	42.50	42.50
$PM/PM_{10}/PM_{2.5}$	0.38	12.75	12.75
SO_2	0.01	0.34	0.34
Benzene	5.13E-03	0.17	0.17
Toluene	1.86E-03	0.06	0.06
Xylenes	1.28E-03	0.04	0.04
Formaldehyde	5.21E-04	0.02	0.02
Acetaldehyde	1.67E-04	0.01	0.01
Acrolein	1.67E-04	0.01	0.01
Naphthalene	8.59E-04	0.03	0.03
Total PAH	1.40E-03	0.05	0.05
TOTAL HAPs	1.14E-02	3.87E-01	3.87E-01

Notes:
PTE is based on an operation of each engine for 500 hours per year per IDEM policy for emergency generators.
The worst-case scenario for (NOx, CO, VOC, and PM) is when the source uses Vendor 2: Rolls Royce generator at 100% loads.
The worst-case scenario for SO2 and Hazardous Air Pollutants is when the source uses Vendor 1: Cat 3516E generator at 100% loads.

Shaded cells indicate permit limits.

Methodology
Potential Emission (tons/yr) = [lb/hr/generator] * [500 hr/yr)] / [2,000 lb/ton] (NOx, CO, VOC and PM)
Potential Emission (tons/yr) = [Heat Input (MMBtu/hr)] * [Emission Factor (lb/MMBtu)] * [500 hr/yr)] / [2,000 lb/ton]

Appendix A: Emission Calculations
Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (<=600 HP)
Maximum Input Rate (<=4.2 MMBtu/hr)

Company Name: Hatchworks LLC
Source Address: 7510 Zodiac Way, Fort Wayne, IN 46816
Operating Permit No: T003-47378-00530
Reviewer: Omar El-Rjoob

Emissions calculated based on heat input capacity (MMBtu/hr)

Heat Input Capacity (MMBtu/hr)	4.5
Maximum Hours Operated per Year	500
Potential Throughput (MMBtu/yr)	2,250

	Pollutant						
	PM*	PM10*	direct PM2.5*	SO2	NOx	VOC	CO
Emission Factor in lb/MMBtu	0.31	0.31	0.31	0.290	4.4	0.36	0.95
Potential Emission in tons/yr	0.35	0.35	0.35	0.33	4.96	0.41	1.07

*PM and PM2.5 emission factors are assumed to be equivalent to PM10 emission factors. No information was given regarding which method was used to determine the factor or the fraction of PM10 which is condensable.

Hazardous Air Pollutants (HAPs)

	Pollutant						
	Benzene	Toluene	Xylene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs***
Emission Factor in lb/MMBtu	9.93E-04	4.09E-04	2.85E-04	1.18E-03	7.67E-04	9.25E-05	1.68E-04
Potential Emission in tons/yr	1.12E-03	4.60E-04	3.21E-04	1.33E-03	8.63E-04	1.04E-04	1.89E-04

***PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)

Potential Emission of Total HAPs (tons/yr)	**4.38E-03**

Methodology
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.3-1 and 3.3-2.
Potential Throughput (MMBtu/yr) = [Heat Input Capacity (MMBtu/hr)] * [Maximum Hours Operated per Year]
Potential Emission (tons/yr) = [Potential Throughput (MMBtu/yr)] * [Emission Factor (lb/MMBtu)] / [2,000 lb/ton]

Appendix A: Emission Calculations
Reciprocating Internal Combustion Engines - Diesel Fuel
Output Rating (<=600 HP)
Maximum Input Rate (<=4.2 MMBtu/hr)

Company Name: Hatchworks LLC
Source Address: 7510 Zodiac Way, Fort Wayne, IN 46816
Operating Permit No: T003-47378-00530
Reviewer: Omar El-Rjoob

Emissions calculated based on heat input capacity (MMBtu/hr)

Heat Input Capacity (MMBtu/hr)	3.9
Maximum Hours Operated per Year	500
Potential Throughput (MMBtu/yr)	1,950

	Pollutant						
	PM*	PM10*	direct PM2.5*	SO2	NOx	VOC	CO
Emission Factor in lb/MMBtu	0.31	0.31	0.31	0.290	4.4	0.36	0.95
Potential Emission in tons/yr	0.30	0.30	0.30	0.28	4.30	0.35	0.93

*PM and PM2.5 emission factors are assumed to be equivalent to PM10 emission factors. No information was given regarding which method was used to determine the factor or the fraction of PM10 which is condensable.

Hazardous Air Pollutants (HAPs)

	Pollutant						
	Benzene	Toluene	Xylene	Formaldehyde	Acetaldehyde	Acrolein	Total PAH HAPs***
Emission Factor in lb/MMBtu	9.93E-04	4.09E-04	2.85E-04	1.18E-03	7.67E-04	9.25E-05	1.68E-04
Potential Emission in tons/yr	9.68E-04	3.99E-04	2.78E-04	1.15E-03	7.48E-04	9.02E-05	1.64E-04

***PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)

Potential Emission of Total HAPs (tons/yr)	**3.80E-03**

Methodology
Emission Factors are from AP 42 (Supplement B 10/96) Tables 3.3-1 and 3.3-2.
Potential Throughput (MMBtu/yr) = [Heat Input Capacity (MMBtu/hr)] * [Maximum Hours Operated per Year]
Potential Emission (tons/yr) = [Potential Throughput (MMBtu/yr)] * [Emission Factor (lb/MMBtu)] / [2,000 lb/ton]

Appendix A: Emission Calculations
Emissions Summary

Company Name: **Hatchworks LLC**
Source Location: **5801 Adams Center Road, Fort Wayne, IN 46806**
Operating Permit No: **T033-47378-00530**
Reviewer: **Omar El-Rjoob**

Cooling Towers

Emission Unit Identifier	CT1 - CT15	
Stack Vent Identifier	SV 37 - SV51	
Total Number of Towers:	15	
Cells per Tower	2	
Drift Loss:	0.0005	%, Vendor Data
Cooling Water Flow:	6,000	gpm, per tower
	90,000	gpm, total
TDS	3,000	ppm, design basis
Operation Hours:	8,760	hrs/yr

PM equation from AP-42, Section 13.4-2 (01/1995)

$$PM_{total}\ \mathrm{EF}\ (\frac{\mathrm{lb}}{\mathrm{gal}}) = (\frac{ppm\ TDS}{1{,}000{,}000\ lbs\ of\ Water}) \times (\frac{8.34\ lbs}{gal} water) \times (\frac{drift\ loss\ \%}{100})$$

Hourly Emissions (lb/hr) = (lbs PM/gal) x (hourly throughput)
Annual Emissions (tons/yr) = (lbs PM/gal) x (annual throughput) / (2000 lbs/ton)

Pollutant	PTE each		PTE (Total)
	(lb/hr)	(ton/yr)	(ton/yr)
PM	0.05	0.20	**3.0**
PM_{10}[1]	0.03	0.14	**2.1**
$PM_{2.5}$[1]	0.02	0.08	**1.2**

[1] PM_{10} and $PM_{2.5}$ Emission Factors conservatively estimated based on "Final Methodology to Calculate $PM_{2.5}$ and $PM_{2.5}$ Significance Thresholds, Appendix A", South Coast Air Quality Management District (October 2006), accessed December 2023 at https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/particulate-matter-(pm)-2.5-significance-thresholds-and-calculation-methodology/final_pm2_5methodology.pdf.

PM_{10} = 70% of PM
$PM_{2.5}$ = 42% of PM

Appendix A: Emission Calculations
Diesel Fuel Tanks

Company Name: **Hatchworks LLC**
Source Location: **7510 Zodiac Way, Fort Wayne, IN 46816**
Operating Permit No: **T003-47378-00530**
Reviewer: **Omar El-Rjoob**

Diesel Storage Tanks

Emission Unit Identifier	Tank1 - Tank36
Product Stored	Diesel Fuel # 2
Capacity (gal), per tank	6,000
Number of Tanks [1]	36

[1] Conservatively assumes that the guardhouse emergency generator and the fire pump tanks are the same size as those for the critical generators.
[2] Calculated using the calculation methodology in AP-42, Chapter 7.1..

Parameter Description	Equation	Source	Tank Specifics
Material Stored	Facility Information		Diesel Fuel
Tank Location	Facility Information		Fort Wayne, IN
Tank Type	Facility Information		Horizontal
Tank Color	Facility Information		Black
Roof Color	Facility Information		Black
Paint Condition	Facility Information		Average
Heated?	Facility Information		No
Tank Width (W), ft	Facility Information		11.67
Tank Length (L), ft	Facility Information		35.17
Tank Height (H), ft	Facility Information		1.9543
Tank Volume (V), ft^3	$V = W * L * H$		802
Tank Volume (V), gal	V = ft3 * 7.48052		6,000
Vapor Space Outage (H_{VO}), ft	$H_{VO} = H / 2$	AP-42, Chap. 7.1, Eq 1-16	0.98
Vapor Space Volume (V_V), ft^3	$V_V = H_{VO} * W * L$		401
Ideal Gas Constant (R), psia ft^3/lb-mol R	AP-42, Chap. 7.1, Eq 4-10		10.731
Daily Maximum Ambient Temperature (T_{AX}), R	AP-42, Chap. 7.1, Table 7.1-7, Fort Wayne, Annual		519.3
Daily Minimum Ambient Temperature (T_{AN}), R	AP-42, Chap. 7.1, Table 7.1-7, Fort Wayne, Annual		501.2
Average Daily Ambient Temperature (T_{AA}), R	$T_{AA} = (T_{AX} + T_{AN}) / 2$	AP-42, Chap. 7.1, Eq 1-30	510.3
Liquid Bulk Temperature (T_B), R	For belly tanks assumed $T_{LA} = T_B = T_{AA}$ since shell tank solar absorption α_s will be zero.		510.3
Daily Average Liquid Surface Temperature (T_{LA}), R			
Vapor Molecular Weight (M_V), lb/lb-mol	AP-42, Chap. 7.1, Table 7.1-2, No. 2 Fuel Oil (Diesel)		130
Vapor Pressure Constant, A	AP-42, Table 7.1-2, No. 2 Fuel Oil		12.101
Vapor Pressure Constant, B	AP-42, Table 7.1-2, No. 2 Fuel Oil		8907
Vapor Pressure at T_{LA} (P_{VA}), psia	$P_{VA} = \exp[A - (B / T_{LA})]$	AP-42, Chap 7.1, Eq 1-25	0.005
Avg Vapor Temperature T_v, R	For belly tanks assumed $T_v=0.7T_{AA} + 0.3T_B$ since shell solar absorption α will be zero.		510.3
Vapor Density (W_V), lb/ft^3	$W_V = M_V * P_{VA} / RT_V$	AP-42, Chap 7.1, Eq 1-22	0.00011
Daily Ambient Temperature Range (ΔT_A), R	$\Delta T_A = T_{AX} - T_{AN}$	AP-42, Chap. 7.1, Eq 1-11	18.1
Daily Vapor Temperature Range (ΔT_V), R	For belly tanks, assumed $\Delta T_V = 0.7\Delta T_A$ since shell solar absorption α is zero.	AP-42, Chap. 7.1, Eq 1-11, Note 5	12.7
Vapor Pressure at T_{AN} (P_{VN}), psia	$P_{VN} = \exp[A - (B / T_{AN})]$	AP-42, Chap. 7.1, Eq 1-11, Note 5	0.003
Vapor Pressure at T_{AX} (P_{VX}), psia	$P_{VX} = \exp[A - (B / T_{AX})]$	AP-42, Chap. 7.1, Eq 1-11, Note 5	0.006
Daily Vapor Pressure Range (ΔP_V), psia	$\Delta P_V = P_{VX} - P_{VN}$	AP-42, Chap. 7.1, Eq 1-9	0.003
Breather Vent Pressure Setting Range (ΔP_B), psig	$\Delta P_B = P_{BP} - P_{BV}$ (Assumed = 0.06)	AP-42, Chap 7.1, Eq 1-10	0.06
Atmospheric Pressure (P_A), psia	Constant		14.7
Vapor Space Expansion Factor (K_E), dimensionless	Outdoor Tanks: $K_E = \Delta T_V / T_{LA} + (\Delta P_V - \Delta P_B) / (P_A - P_{VA})$	AP-42, Chap. 7.1, Eq 1-5	0.02
Vented Vapor Saturation Factor (K_S), dimensionless	$K_S = 1 / (1 + 0.053 * P_{VA} * H_{VO})$	AP-42, Chap 7.1, Eq 1-21	1.00
Number of Days/Year in Operation	Constant		365
Standing Storage Losses (L_S), lb/year/tank	**$L_S = 365 * W_V * V_V * K_E * K_S$**	**AP-42, Chap. 7.1, Eq 1-2**	**0.34**
Maximum Throughput (Q), gal	Facility Information		96,250
Maximum Throughput (V_Q), ft^3	Conversion		12,867
Tank Maximum Liquid Volume (V_{LX}), ft^3	Horizontal Tank: Assumed V_{LX} = 0.9V	Assumed	722
Turnovers (N), dimensionless	$N = V_Q / V_{LX}$	AP-42, Chap. 7.1, Eq 60-4	17.8
Turnover Factor (K_N), dimensionless	Since N ≤ 36, K_N = 1	AP-42, Chap. 7.1, Eq 1-35	1
Working Loss Factor (K_P), dimensionless	For Organic Liquids, K_P = 1	AP-42, Chap. 7.1, Eq 60-4, Notes	1
Vent Setting Correction Factor, K_B	For Vent Setting Range ± 0.03 psig, K_B = 1	AP-42, Chap. 7.1, Eq 1-12	1
Working Losses (L_W), lb/year/tank	**$L_W = V_Q * K_N * K_P * W_V * K_B$**	**AP-42, Chap. 7.1, Eq 1-35**	**1.44**
Total Uncontrolled Losses (L_T), lb/year/tank	$L_T = L_S + L_W$	AP-42, Chap. 7.1, Eq 2-1	1.79
Total Uncontrolled Losses (L_T), lb/hr/tank	Since 8760 hr/year, L_T / 8760		0.0002
Total Uncontrolled Losses (L_T), ton/year/tank	Since 2000 lb/ton, L_T / 2000		0.0009
Number of Tanks	Facility Information		36
Total Uncontrolled Losses (L_T), lb/hr (all tanks)	**L_T = lb/hr/tank * # of Tanks**		**0.007**
Total Uncontrolled Losses (L_T), ton/year (all tanks)	**L_T = ton/year/tank * # of Tanks**		**0.03**

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
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Eric J. Holcomb, *Governor*
Brian C. Rockensuess, *Commissioner*

SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED

TO: Robin Fried
Hatchworks LLC
2801 Centerville Rd 1st Fl PMB 811
Wilmington, DE 19808

DATE: September 6, 2024

FROM: Jenny Acker, Branch Chief
Permits Branch
Office of Air Quality

SUBJECT: Final Decision
Title V New Source Construction (Minor PSD/EO)
003-47378-00530

This notice is to inform you that a final decision has been issued for the air permit application referenced above.

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. In addition, the Notice of Decision has been sent to the OAQ Permits Branch Interested Parties List and, if applicable, the Consultant/Agent and/or Responsible Official/Authorized Individual.

The final decision and supporting materials are available electronically; the original signature page is enclosed for your convenience. The final decision and supporting materials available electronically at:

IDEM's online searchable database: http://www.in.gov/apps/idem/caats/ . Choose Search Option **by Permit Number**, then enter permit 47378

and

IDEM's Virtual File Cabinet (VFC): https://www.in.gov/idem. Enter VFC in the search box, then search for permit documents using a variety of criteria, such as Program area, date range, permit #, Agency Interest Number, or Source ID.

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, or have difficulty accessing the documents online, 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.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

September 6, 2024

TO: Allen County Public Library - Hessen Cassel Branch

From: Jenny Acker, Branch Chief
Permits Branch
Office of Air Quality

Subject: **Important Information for Display Regarding a Final Determination**

Applicant Name: Hatchworks LLC
Permit Number: 003-47378-00530

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 1/9/2017

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

September 6, 2024
Hatchworks LLC
003-47378-00530

To: Interested Parties

This notice is to inform you that a final decision has been issued for the air permit application referenced above. This notice is for informational purposes only. You are not required to take any action.

You are receiving this notice because you asked to be on IDEM's notification list for this company and/or county; or because your property is nearby the company being permitted; or because you represent a local/regional government entity.

The enclosed Notice of Decision Letter provides additional information about the final permit decision.

The final decision and supporting materials are available electronically at:

IDEM's online searchable database: http://www.in.gov/apps/idem/caats/ . Choose Search Option by Permit Number, then enter permit 47378

and

IDEM's Virtual File Cabinet (VFC): https://www.in.gov/idem. Enter VFC in the search box, then search for permit documents using a variety of criteria, such as Program area, date range, permit #, Agency Interest Number, or Source ID.

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.

Please Note: *If you would like to be removed from the Air Permits mailing list, please contact Joanne Smiddie-Brush with the Air Permits Administration Section at 1-800-451-6027, ext. 3-0185 or via e-mail at JBRUSH@IDEM.IN.GOV. If you have recently moved and this Notice has been forwarded to you, please notify us of your new address and if you wish to remain on the mailing list. Mail that is returned to IDEM by the Post Office with a forwarding address in a different county will be removed from our list unless otherwise requested.*

Enclosure
Final Interested Parties Cover Letter 10/13/2023

Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 1 of 23		
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**

AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Robin Fried Hatchworks LLC 2801 Centerville Rd 1st Fl PMB 811 Wilmington DE 19808 (Source CAATS) VIA UPS									
2		David Thomas Authorized Representative Hatchworks LLC 2801 Centerville Rd 1st Fl PMB 811 Wilmington DE 19808 *(RO CAATS)*									
3		Duane & Deborah Clark Clark Farms 4520 S 700 E Columbia City IN 46725 *(Affected Party)*									
4		Fort Wayne City Council and Mayors Office 200 E Berry St, Ste 120 Fort Wayne IN 46802 *(Local Official)*									
5		Mr. Chris Brown Plumbers & Steamfitters, Local 166 2930 W Ludwig Rd Fort Wayne IN 46818-1328 *(Affected Party)*									
6		Allen County Board of Commissioners 200 E Berry St, Ste 410 Fort Wayne IN 46802 *(Local Official)*									
7		Fort Wayne-Allen County Health Department 200 E Berry St, Ste 360 Fort Wayne IN 46802 *(Health Department)*									
8		Allen County Public Library - Hessen Cassel Branch 3030 E Paulding Rd Fort Wayne IN 46816 *(Library)*									
9		Indiana Michigan Power Company PO Box 16428 Columbus OH 43216 *(Affected Party)*									
10		Kirk Kneller Or Current Resident 7010 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
11		Chemical Waste Management of Indiana LLC PO Box 1450 Chicago IL 60690-1450 *(Affected Party)*									
12		Lisa Green The Journal Gazette 600 W Main St Fort Wayne IN 46802 *(Affected Party)*									
13		Fort Wayne City of Department of Redevelopment 200 E Berry St, Ste 320 Fort Wayne IN 46802 (Affected Party)									
14		Select Homes LLC 1015 E Coliseum Blvd Fort Wayne IN 46805 *(Affected Party)*									
15		Jonathan R & Angela M Bickel Or Current Occupant 10411 Hoffman Rd Fort Wayne IN 46816 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

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IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 2 of 23		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**

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Jerry W Schlaudroff Trs 11401 Franke Rd Monroeville IN 46774 (Affected Party)									
2		Ronald J & Linda M Landin Or Current Occupant 11475 Rd 144 Paulding OH 45879 *(Affected Party)*									
3		Or Current Occupaant 12015 Fallen Leaf Ct Fort Wayne IN 46845 *(Affected State)*									
4		AAA Cooper Transportation 12225 Stephens Rd Warren MI 48089 *(Affected Party)*									
5		Ira E & Carol Jane Zelt Or Current Occupant 1224 Lost Lock Way New Haven IN 46774 *(Affected Party)*									
6		Cassandra S Vondran Or Current Occupant 12612 Figel Rd Monroeville IN 46773 *(Affected Party)*									
7		Bruce Brothers Properties LLC 1303 Pion Rd Fort Wayne IN 46845 *(Affected Party)*									
8		Richard S & Andrea M McBride Or Current Occupant 1330 Ashley Ave Fort Wayne IN 46825 *(Affected Party)*									
9		Barbara Forest Or Current Occupant 1338 W Stoneridge Dr Columbia City IN 46725 *(Affected Party)*									
10		Rick Widmann Or Current Occupant 13705 Cordoba Pl Fort Wayne IN 46845 *(Affected Party)*									
11		James and Karen Ahrens Or Current Resident 8002 Dunnmore Dr New Haven IN 46774 *(Affected Party)*									
12		Nicholas & Megan Beeching Or Current Occupant 16308 Indianapolis Rd Yoder IN 46798 *(Affected Party)*									
13		Charles and Michelle King Or Current Resident 8010 Dunnmore Dr New Haven IN 46774 (Affected Party)									
14		Spencerville Farms LLC 17528 Cuba Rd Spencerville IN 46788 *(Affected Party)*									
15		Metro Real Estate Inc 2042 Broadway Fort Wayne IN 46802 *(Affected Party)*									

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IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 3 of 23		
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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1		Kaufmann LLC 2216 S Calhoun St Fort Wayne IN 46802 (Affected Party)									
2		Stanley L Tippmann Revocable Family Trust 2955 S Maplecrest Rd Fort Wayne IN 46803 *(Affected Party)*									
3		Tullymore Development Company LLC 2955 S Maplecrest Rd Fort Wayne IN 46803 *(Affected Party)*									
4		Frederick A Hitzeman Or Current Occupant 3044 Shawnee Trl New Haven IN 46774 *(Affected Party)*									
5		Cedarwood Trails MHC LLC 31200 Northwestern Hwy Farmington Hills MI 48334 *(Affected Party)*									
6		Karl and Marilyn Elchen Joint Rev Living Trust 8011 Dunnmore Dr New Haven IN 46774 *(Affected Party)*									
7		Ruben and Caitlin Cantu Or Current Resident 8016 Dunnmore Dr New Haven In 46774 *(Affected Party)*									
8		Brenda S Walter Or Current Resident 8017 Camden Ln New Haven IN 46774 *(Affected Party)*									
9		James Combs Or Current Resident 8017 Dunnmore Dr New Haven IN 46774 *(Affected Party)*									
10		Theresa and Heather Laxton Or Current Resident 8023 Camden Ln New Haven IN 46774 *(Affected Party)*									
11		Joseph and Paula Wharton Or Current Resident 8026 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
12		Almaraz Silvino Hernandez Or Current Occupant 3311 Clermont Ave Fort Wayne IN 46806 *(Affected Party)*									
13		Linda Grossman Or Current Resident 8028 Dunnmore Dr New Haven IN 46774 (Affected Party)									
14		Robert and Eliza Jackson Or Current Resident 8029 Camden Ln New Haven IN 46774 *(Affected Party)*									
15		Fatemeh Dadash Or Current Occupant 350 Lincoln Hwy W New Haven IN 46774 *(Affected Party)*									

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1		Kenna Faye Or Current Resident 8029 Dunnmore Dr New Haven IN 46774 (Affected Party)									
2		Matthew and Paige Kennedy Or Current Resident 8034 Dunnmore Dr New Haven IN 46774 *(Affected Party)*									
3		Brian and Kerl Do Or Current Resident 8035 Camden Ln New Haven IN 46774 *(Affected Party)*									
4		Gregory and Cynthia Biggs Or Current Resident 8035 Dunnmore Dr New Haven IN 46774 *(Affected Party)*									
5		Quinten Frederick Or Current Resident 8101 Dunnmore Dr New Haven IN 46774 *(Affected Party)*									
6		Rebekah McClain Or Current Resident 8101 Dunnmore Dr New Haven IN 46774 *(Affected Party)*									
7		Alex Palermo Or Current Occupant 3711 Wells St Fort Wayne IN 46808 *(Affected Party)*									
8		Rebecca Ann Tapp Or Current Resident 8101 Dunnmore Dr New Haven In 46774 *(Affected Party)*									
9		ABF Inc f/k/a Transport Realty Inc 3801 Old Greenwood Rd Fort Smith AR 72903 *(Affected Party)*									
10		Claudes Fernando Santiago Or Current Resident 4025 Oliver St Fort Wayne IN 46806 *(Affected Party)*									
11		Shay and Kaitlynn Pontsler Or Current Resident 8106 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
12		David and Janet Pennell Or Current Resident 8109 Dunnmore Dr New Haven IN 46774 *(Affected Party)*									
13		Tammy Young Or Current Resident 8117 Dunnmore Dr New Haven IN 46774 (Affected Party)									
14		Mills Real Estate Investments LLC 4200 S Maplecrest Rd Fort Wayne IN 46806 *(Affected Party)*									
15		Victor and Karen Bolyard Or Current Resident 8118 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									

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1		Micaiah & Anna Or Current Resident 4212 E Tillman Rd Fort Wayne IN 46816 (Affected Party)									
2		Current Resident 8123 Wayne Tree Fort Wayne IN 46816 *(Affected Party)*									
3		Christopher and Sandra Franklin Or Current Resident 8129 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Society of Theravada Buddha Sasana Inc 8133 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
5		Bryan S Flory Or Current Occupant 4224 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
6		Dexter Henry Or Current Resident 8136 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
7		Mark Glass Or Current Resident 8207 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
8		David and Angie Tippman Or Current Resident 8235 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
9		Current Resident 8311 Adams Ctr Rd Fort Wayne IN 46816 *(Affected Party)*									
10		Samuel & Edrena L Tyler Or Current Resident 4230 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
11		Gary and Sue Widenhoefer Or Current Resident 8319 Maple Rd Fort Wayne IN 46816 *(Affected Party)*									
12		Current Resident 4236 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
13		Seth and Cynthia Bradtmueller Or Current Resident 8412 Summerset Pl Fort Wayne IN 46825 (Affected Party)									
14		George Sr and Emilie Uhrick Or Current Resident 8426 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
15		Dewayne Doctor Or Current Resident 8431 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									

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IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 6 of 23		
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1		Transpoint Intermodal LLC 8435 Keystone Xing Ste 140 Indianapolis IN 46240 (Affected Party)									
2		Bernard and Janet McEvoy 8503 E Paulding Rd New Haven IN 46774 *(Affected Party)*									
3		Brittany Melching 8512 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Shawn Bellinger 8526 E Paulding Rd New Haven IN 46774 *(Affected Party)*									
5		Keith and Kim Mensing Or Current Resident 8526 E Paulding Rd New Haven In 46774 *(Affected Party)*									
6		Martin Muruillo Nino Or Current Resident 4302 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
7		Martin Realty 4302 Foxknoll Cv Fort Wayne IN 46835 *(Affected Party)*									
8		David A & Kelly E Tomaszewski Or Current Resident 4305 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
9		Michael D & Jynni E Turner Or Currnet Resident 4309 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
10		Kevin & Angela Hamrick Or Current Occupant 4310 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
11		Zachary P & Amelia L Gascoign Or Current Resident 4315 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
12		Timothy J & Megan L Orsterman Or Current Resident 4318 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
13		Jeffrey L & Melissa A Nagle Or Current Resident 4323 Duncastle Cv New Haven IN 46774 (Affected Party)									
14		Nin Habiba Or Current Resident 4324 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
15		Matthew F & Dawn Baxter Or Current Resident 4330 Castlerock Dr New Haven IN 46774 *(Affected Party)*									

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1		Samuel & Kristen Or Current Resident 4401 Duncastle Cv New Haven IN 46774 (Affected Party)									
2		Austin M Hiatt Or Current Resident 4402 Ganton Ct New Haven IN 46774 *(Affected Party)*									
3		Dalton J Grahovac Or Current Resident 4403 Ganton Ct New Haven IN 46774 *(Affected Party)*									
4		Nakia Brunk Or Current Resident 4404 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
5		Grace Upshaw Or Current Resident 4404 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
6		Marlaena K Martinez Or Current Resident 4405 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
7		Justin M Lothamer Or Current Resident 4408 Chapin Ln New Haven IN 46774 *(Affected Party)*									
8		M Kirk Dunbar HDR Engineering Inc 1601 Utica Ave S #600 St Louis Park MN 55416 *(Consultant)*									
9		Richard and Mary Hohenbrink Or Current Resident 8609 Crossbank Dr Fort Wayne IN 46816 *(Affected Party)*									
10		Donald Combess Or Current Resident 8616 Crossbank Dr Fort Wayne IN 46816 *(Affected Party)*									
11		Ronald and Janet Bulmahn Or Current Resident 9720 Paulding Rd New Haven IN 46774 *(Affected Party)*									
12		Mariann McMahan Or Current Resident 9434 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
13		Lancia Homes 9430 Lima Rd Fort Wayne IN 46818 (Affected Party)									
14		Lynn and Barbara Bradtmueller Or Current Resident 8727 Paulding Rd New Haven IN 46774 *(Affected Party)*									
15		Spieth Enterprises LLC 9401 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									

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1		David and Sharon Schlaudroff 2022 Rev Trust 9532 Flatrock Rd Hoagland IN 46745 (Affected Party)									
2		James and Bianca Graber Revocable Trust 9024 Wayne Tree Fort Wayne IN 46816 *(Affected Party)*									
3		Christine Smith Or Current Resident 6309 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Rebber Heritage Family Farms LLC 9925 N Country Knl New Haven IN 46774 *(Affected Party)*									
5		ND 30 Holdings LLC PO Box 141 Hoagland IN 46745 *(Affected Party)*									
6		Neumeister Properties LLC PO Box 15295 Fort Wayne IN 46885 *(Affected Party)*									
7		New Haven Park and Recreation Department PO Box 157 New Haven IN 46774 *(Affected Party)*									
8		GTP Infrastructure LLC PO Box 723597 Atlanta GA 31139 *(Affected Party)*									
9		Chistopher A Williams Or Current Resident 4409 Chapin Ln New Haven IN 46774 *(Affected Party)*									
10		Jacob A Schwartz Or Current Resident 4412 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
11		Richard L & Sheila E Stroh Or Current Resident 4419 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
12		Stephanie M & Corey M Lyst Or Current Resident 4420 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
13		Corey & Danielle Rogge Or Current Resident 4424 Ganton Ct New Haven IN 46774 (Affected Party)									
14		Michelle Lockridge Or Currnet Resident 4426 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
15		Jonathan D Francis Or Current Resident 4426 Chapin Ln New Haven IN 46774 *(Affected Party)*									

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1		Heidi N Or Current Resident 4427 Chapin Ln New Haven IN 46774 (Affected Party)									
2		Andrea M Newell Or Current Resident 4427 Ganton Ct New Haven IN 46774 *(Affected Party)*									
3		Roni Martinez-Aguirre Or Current Resident 4431 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
4		Steven Dennis Or Current Resident 4502 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
5		Annette R Bolton Or Current Resident 4504 Chapin Ln New Haven IN 46774 *(Affected Party)*									
6		Amanda Vaudt Or Current Resident 4504 Ganton Ct New Haven IN 46774 *(Affected Party)*									
7		Matthew S & Alyssa K White Or Current Resident 4505 Ganton Ct New Haven IN 46774 *(Affected Party)*									
8		Alen Glenn & Lillian Christine Stevens Or Current Resident 4507 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
9		Steven S & Judy D McMichael Or Current Resident 4507 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
10		Marc N Filler Or Current Resident 4508 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
11		Kenneth K Kellogg Or Current Resident 4509 Chapin Ln New Haven IN 46774 *(Affected Party)*									
12		Trevor H Shankel Or Current Resident 4511 Ganton Ct New Haven IN 46774 *(Affected Party)*									
13		Timothy C Cash Or Current Resident 4512 Ganton Ct New Haven IN 46774 (Affected Party)									
14		Amanda R Davis Or Current Resident 4514 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
15		Tyler Anthony VanWieren Or Current Resident 4515 Castlerock Dr New Haven IN 46774 *(Affected Party)*									

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IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 10 of 23		AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
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1		Nathaniel T Or Current Resident 4518 Chapin Ln New Haven IN 46774 (Affected Party)									
2		Timothy D & Marilyn R Gemmer Or Current Resident 4522 Duncastle Cv New Haven IN 46774 *(Affected Party)*									
3		Jeremy W & April M Bentz Or Current Resident 4523 Chapin Ln New Haven IN 46774 *(Affected Party)*									
4		Dawid Bozena Or Current Resident 4526 Chapin Ln New Haven IN 46774 *(Affected Party)*									
5		Paul D & Sonhui Huddleston Or Current Resident 4528 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
6		Kenyth A & Margaret A Tittman Or Current Resident 4529 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
7		Kevin Scott Or Current Resident 7119 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
8		Mari Cornish Or Current Resident 7119 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
9		Timothy and Christy Rosswurm Or Current Resident 7122 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
10		Dalton Jon & Shelby Nicole Rose Or Current Resident 4529 Ganton Ct New Haven IN 46774 *(Affected Party)*									
11		Rachel M Kline Or Current Resident 4529 Chapin Ln New Haven IN 46774 *(Affected Party)*									
12		Kendal L Macciomei Or Current Resident 4530 Chapin Ln New Haven IN 46774 *(Affected Party)*									
13		Nathan Oxley Or Current Resident 4532 Castlerock Dr New Haven IN 46774 (Affected Party)									
14		Amanda Freiburger Or Current Resident 4533 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
15		Robert James Greim Or Current Resident 4534 Ganton Ct New Haven IN 46774 *(Affected Party)*									

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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**

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Maung N Or Current Resident 4601 Chapin Ln New Haven IN 46774 (Affected Party)									
2		Winston F & Patricia J Groves Or Current Resident 4605 Chapin Ln New Haven IN 46774 *(Affected Party)*									
3		James A & Angela E Rebber Or Current Resident 4618 Hartzell Rd New Haven IN 46774 *(Affected Party)*									
4		Robert T Tippmann III Or Current Resident 4629 Hartzell Rd New Haven IN 46774 *(Affected Party)*									
5		Current Resident 4636 Adams Center Rd Fort Wayne IN 46806 *(Affected Party)*									
6		CSX Transportation Inc 4701 Cox Rd Ste 301 Glen Allen VA 23060 *(Affected Party)*									
7		Current Resident 4877 Adams Center Rd Fort Wayne IN 46806 *(Affected Party)*									
8		Current Resident 4901 Adams Center Rd Fort Wayne IN 46806 *(Affected Party)*									
9		Rufus H Jr Smith Company 4909 Ball Rd Knoxville TN 37931 *(Affected Party)*									
10		CSX Transportation Inc 500 Water St (J910) Jacksonville FL 32202 *(Affected Party)*									
11		Current Resident 5214 Hartzell Rd New Haven IN 46774 *(Affected Party)*									
12		AZ Tax & Miscellaneous Services LLC 5602 Decatur Rd Fort Wayne IN 46806 *(Affected Party)*									
13		John A Minick Or Current Resident 5730 E Paulding Rd Fort Wayne IN 46816 (Affected Party)									
14		Aaron J & Nicole E Capriglione Or Current Resident 5812 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
15		James Buck Jr Or Current Resident 7127 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

FACSIMILIE OF PS Form 3877

Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 12 of 23		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**

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Sarah Or Current Resident 7950 Adams Center Rd Fort Wayne IN 46816 (Affected Party)									
2		Tina Harshman Or Current Resident 7203 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
3		Travis Schaadt Or Current Resident 7209 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Barry and Suzanne Dibble Or Current Resident 7213 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
5		Jordan and Alyssa Bienz Or Current Resident 7222 Seiler Rd Fort Wayne IN 46806 *(Affected Party)*									
6		James L & Christie L Hansel Or Current Resident 5832 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
7		Joseph G & Carmen A Smith Or Current Occupant 5923 Kristie Ln Fort Wayne IN 46816 *(Affected Party)*									
8		Eric Vaquez Or Current Resident 5926 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
9		Keith F & Kim M Mensing Or Current Resident 6001 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
10		David P Herring Or Current Resident 6004 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
11		Justin R & Tara E Vaughn Or Current Resident 6004 Kristie Ln Fort Wayne IN 46816 *(Affected Party)*									
12		Ivan U Morales Or Current Occupant 6006 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
13		Current Resident 6008 Moeller Rd Fort Wayne IN 46806 (Affected Party)									
14		Lisa A Nartker Or Current Resident 6010 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
15		Donald R Wyatt Or Current Resident 6018 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

FACSIMILIE OF PS Form 3877

Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 13 of 23			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**	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Nicholas & Jessica Or Current Resident 6020 E Paulding Rd Fort Wayne IN 46816 (Affected Party)									
2		Mark A & Livia A Alexander Or Current Occupant 6022 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
3		Current Resident 6030 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Pamela J Sours Or Current Resident 6102 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
5		David D Hauk Or Current Resident 6104 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
6		Zach Pruitt Or Current Resident 7233 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
7		Jason C & Ashley A Miller Or Current Resident 6110 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
8		Matthew A & Erica M Eisenacher Or Current Resident 6118 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
9		Matthew L Krueger Or Current Resident 6119 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
10		Timothy Erastas Or Current Resident 6120 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
11		William Boose Or Current Resident 7309 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
12		Denise Light Or Current Resident 7309 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
13		Christian Hieber Or Current Resident 6129 US Hwy 30 E Fort Wayne IN 46803 (Affected Party)									
14		Michelle Fox Or Current Resident 7330 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
15		Current Resident 7411 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

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Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 14 of 23			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**	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Aaron and Karen Or Current Resident 7430 Hartzell Rd Fort Wayne IN 46816 (Affected Party)									
2		Gregory D & Angela Trabel Or Current Resident 6136 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
3		Jeffrey A & Deborah K Siples Or Current Resident 6139 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Michele M & Bruce W Kolkman Or Current Resident 6204 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
5		Current Resident 6214 Tillman RD Fort Wayne IN 46816 *(Affected Party)*									
6		Roland J Yoder Or Current Resident 6216 Admas Center Rd Fort Wayne IN 46816 *(Affected Party)*									
7		Nancy L Krueger Or Current Occupant 6226 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
8		Jae & Destiney D Gerardot Or Current Resident 6305 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
9		Current Resident 6308 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
10		Current Resident 7436 Seiler Rd Fort Wayne IN 46816 *(Affected Party)*									
11		Charlton M Geel Or Current Resident 6308 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
12		Marilyn Kutina Or Current Resident 6309 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
13		Christine A Smith Or Current Resident 6309 Tillman Rd Fort Wayne IN 46816 (Affected Party)									
14		James H & Patricia A King Or Current Resident 6319 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
15		Grant N & Linda L Messmann Or Current Resident 6324 Drakes Bay Run Fort Wayne IN 46835 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

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Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 15 of 23			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**	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Michael S & Teresa A Or Current Resident 6328 E Tillman Rd Fort Wayne IN 46816 (Affected Party)									
2		Phillip A & Diana S Summers Or Current Resident 6331 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
3		Travis A Mathis Or Current Resident 6336 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Paul E & Geri Marlene Trabel Or Current Resident 6404 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
5		Marvin M & Mary A Trabel Or Current Resident 6415 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
6		David A & Jill E Bulmahn Or Current Resident 6419 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
7		Current Resident 6426 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
8		Michael & Lisa Dye Or Current Resident 6430 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
9		Dennis L & Tina A Beatrice Or Current Resident 6508 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
10		Ra Has Zi Zo Or Current Resident 6522 S Anthony Blvd Fort Wayne IN 46816 *(Affected Party)*									
11		Paul A Zurbuch Or Current Resident 6524 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
12		Christopher Schoenle Or Current Resident 6528 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
13		Edward G & Kathleen S Fox Or Current Resident 6538 E Tillman Rd Fort Wayne IN 46816 (Affected Party)									
14		Lawrence A & Ann Marie Schortgen Or Current Occupant 6606 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
15		Morris E & Brenda L Coak Or Current Resident 6616 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

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Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 16 of 23			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**	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Current Resident 6636 Adams Center Rd Fort Wayne IN 46816 (Affected Party)									
2		William L Frohberg Or Current Resident 6705 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
3		Bonnie L Wilcher Or Current Resident 6715 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Robert D & Betsy S Fritcha Or Current Resident 6720 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
5		Joseph L Tucker Or Current Resident 6722 Seiler Rd Fort Wayne IN 46806 *(Affected Party)*									
6		Larry & Linda Wellman Or Current Resident 6728 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
7		Current Resident 6815 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
8		Current Resident 6819 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
9		Current Resident 6827 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
10		Current Resident 6911 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
11		Scot J Sholty Or Current Resident 6911 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
12		Ty N & Cheryl Bennett Or Current Resident 6920 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
13		Current Resident 6923 Hartzell Rd Fort Wayne IN 46816 (Affected Party)									
14		Victor G & Carol S Fox Or Current Resident 6926 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
15		Mary L & Martin Linnemeier Or Current Resident 6929 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

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Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 17 of 23		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**

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Current 7442 Seiler Rd New Haven IN 46774 (Affected Party)									
2		Charles and Jacqueline Lee Or Current Resident 7501 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
3		Chad and Amy Mason Or Current Resident 7520 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Neil and Patricia Ruger Or Current Resident 7934 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
5		Allen W & Jean K Rife Or Current Resident 7005 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
6		Current Resident 7007 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
7		Thelma J Thomas Or Current Resident 7015 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
8		Gary L & Christine M Bradtmueller Or Current Resident 7015 Seiler Rd Fort Wayne IN 46806 *(Affected Party)*									
9		Norma M & Darrel W Howe Or Current Resident 7017 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
10		Lois M Gerardot Or Current Resient 7019 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
11		Dale K & Monica Jane Bienz Or Current Resident 7024 Seiler Rd Fort Wayne IN 46806 *(Affected Party)*									
12		James D Pedraza Or Current Resident 7025 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
13		Janine M Albert Or Current Resident 7030 N 450 W Decatur IN 46733 (Affected Party)									
14		Damion R & Jennifer D OHara Or Current Resident 7105 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
15		MBN Properties LLC 7563 E Lincolnway Columbia City IN 46725 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

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Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 18 of 23		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**

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Jacob A Or Current Resident 7602 Hartzell Rd Fort Wayne IN 46816 (Affected Party)									
2		Dennis J & Dorothy A Adkinson Or Current Resident 7611 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
3		Dale A & Rosalyn Marie Walker Or Current Resident 7625 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Joseph D VanZandt Or Current Resident 7628 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
5		Theodore & Debra Oberley Or Current Resident 7636 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
6		Current Resident 7707 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
7		Barry L & Nancy K Belschner Or Current Resident 7710 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
8		Resident 7716 Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
9		Daniel Jr & Rachael Frye Or Current Resident 7721 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
10		David J Lasch Or Current Resident 7724 Edisto Dr New Haven IN 46774 *(Affected Party)*									
11		Brenda S Reed Or Current Resident 7730 Edisto Dr New Haven IN 46774 *(Affected Party)*									
12		Edward W McTigue Or Current Resident 7736 Edisto Dr New Haven IN 46774 *(Affected Party)*									
13		Maryanne R Oskey Or Current Resident 7801Bartel Ct New Haven IN 46774 (Affected Party)									
14		Mario M Boone Jr Or Current Resident 7802 Bartel Ct New Haven IN 46774 *(Affected Party)*									
15		Michael R Mader Sr Or Current Resident 7802 Edisto Dr New Haven IN 46774 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

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Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 19 of 23		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**

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Gale W Or Current Resident 7808 Edisto Dr New Haven IN 46774 (Affected Party)									
2		Matthew David & Jennifer E Prichard Or Current Resident 7812 Camden Ln New Haven IN 46774 *(Affected Party)*									
3		Marcy Graham Or Current Resident 7814 Edisto Dr New Haven IN 46774 *(Affected Party)*									
4		Tom E Jr & Sara Beckner Or Current Resident 7816 Bartel Ct New Haven IN 46774 *(Affected Party)*									
5		Brittnee Fox Or Current Resident 7820 Edisto Dr New Haven IN 46774 *(Affected Party)*									
6		Michael D Geiger Or Current Resident 7826 Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
7		Eric & Almee R Johnson Or Current Resident 7827 Camden Ln New Haven IN 46774 *(Affected Party)*									
8		Spencer A Diedrich Or Current Resident 7828 Bartel Ct New Haven IN 46774 *(Affected Party)*									
9		Kathleen Lawson Or Current Resident 7830 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
10		Michael C Mallett Or Current Resident 7830 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
11		Travis L McKee Or Current Resident 7831 Bartel Ct New Haven IN 46774 *(Affected Party)*									
12		Resident 7832 Bartel Ct New Haven IN 46774 *(Affected Party)*									
13		Resident 7835 Camden Ln New Haven IN 46774 (Affected Party)									
14		Nancy S Heck Or Current Resident 7901 Camden Ln New Haven IN 46774 *(Affected Party)*									
15		Resident 7903 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

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IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 20 of 23			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**	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Frederick P & Rebecca A Or Current Resident 7908 Adams Center Rd Fort Wayne IN 46816 (Affected Party)									
2		Neal V Gustin Or Current Resident 7909 Camden Ln New Haven IN 46774 *(Affected Party)*									
3		Angela J & Michael W Parker Or Current Resident 7917 Camden Ln New Haven IN 46774 *(Affected Party)*									
4		Diana J McFadden Or Current Resident 7922 Adams Center Rd Fort Wayne IN 46816 *(Affected Party)*									
5		Lori J Carlson Or Current Resident 7922 Seiler Rd Fort Wayne IN 46806 *(Affected Party)*									
6		Mohamed H Elkharbotly Or Current Resident 7925 Camden Ln New Haven IN 46774 *(Affected Party)*									
7		Joshua Richard Or Current Resident 7930 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
8		Joel M & Joyce A Gumble Or Current Resident 7933 Camden Ln New Haven IN 46774 *(Affected Party)*									
9		Bradtmueller Heritage Farm LLC 8727 Paulding Rd New Haven IN 46774 *(Affected Party)*									
10		Jessenia Garcia De Santiago Or Current Resident 4302 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
11		Li Ah Or Current Resident 4324 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
12		Ma Ya He Or Current Resident 4324 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
13		Hannah Springer Or Current Resident 4402 Ganton Ct New Haven IN 46774 (Affected Party)									
14		Samantha L Muldoon Or Current Resident 4403 Ganton Ct New Haven IN 46774 *(Affected Party)*									
15		Kaitlin N McMichael Or Current Resident 4408 Chapin Ln New Haven IN 46774 *(Affected Party)*									

Total number of pieces Listed by Sender	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is $50,000 per piece subject to a limit of $50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is $500. The maximum indemnity payable is $25,000 for registered mail, sent with optional postal insurance. See ***Domestic Mail Manual*** **R900, S913**, and **S921** for limitations of coverage on inured and COD mail. See ***International Mail Manual*** for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

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Mail Code 61-53

IDEM Staff	TCHAMPIO 9/6/2024 Hatchworks LLC 003-47378-00530 final 21 of 23			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**	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Jennifer A Or Current Resident 4409 Chapin Ln New Haven IN 46774 (Affected Party)									
2		Brandi Martinez Or Current Resident 4431 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
3		Bienz Dale K Antonieta Jose Or Current Resident 3311 Clermont Ave Fort Wayne IN 46806 *(Affected Party)*									
4		Elizabeth Garcia De Santiago Or Current Resident 4025 Oliver St Fort Wayne IN 46806 *(Affected Party)*									
5		Kelli R Masion Or Current Resident 4502 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
6		Keith A Roberts Or Current Resident 4514 Castlerock Dr New Haven IN 46774 *(Affected Party)*									
7		Kelli Crosby Or Current Resident 4518 Chapin Ln New Haven IN 46774 *(Affected Party)*									
8		Jane A Moss Or Current Resident 5923 Kristie Ln Fort Wayne IN 46816 *(Affected Party)*									
9		Patricia Pizano Or Current Resident 5926 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
10		Norman Delaney Or Current Resident 6010 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
11		Rebecca S Darling Or Current Resident 6110 Hartzell Rd Fort Wayne IN 46816 *(Affected Party)*									
12		Sarah E Dennon Or Current Resident 6336 E Tillman Rd Fort Wayne IN 46816 *(Affected Party)*									
13		Stacey L Bodnar Adams Or Current Resident 7025 Hartzell Rd Fort Wayne IN 46816 (Affected Party)									
14		Diane George Or Current Resident 7030 N 450 W Decatur IN 46733 *(Affected Party)*									
15		Matthew Cole Or Current Resident 7820 Edisto Dr New Haven IN 46774 *(Affected Party)*									

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1		Jeffrey L Or Current Resident 7901 Camden Ln New Haven IN 46774 (Affected Party)									
2		David Charles Or Current Resident 7930 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
3		Deborah Miller Or Current Resident 7930 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
4		Jessica S Kilgore Or Current Resident 6120 E Paulding Rd Fort Wayne IN 46816 *(Affected Party)*									
5		Gary M Gerardot Or Current Resident 6129 US Hwy 30 E Fort Wayne IN 46803 *(Affected Party)*									
6		Maia Pfeffer Or Current Resident 202 E Maple Grove Ave Fort Wayne IN 46806 *(Affected Party)*									
7		Betsy Kachmar Or Current Resident 2228 Florida Dr Fort Wayne IN 46805 *(Affected Party)*									
8		Cynthia Hille Or Current Resident 6705 Hartzell Rd Fort Wane IN 46816 *(Affected Party)*									
9		Jorge Fernandez Or Current Resident 7465 Lakeridge Dr Fort Wayne IN 46819 *(Affected Party)*									
10		Alice Luebke Or Current Resident 5126 Idlewood Dr Fort Wayne IN 46803 *(Affected Party)*									
11		Amanda Scheitlin Or Current Resident 2626 Medford Dr Fort Wayne IN 46803 *(Affected Party)*									
12		Peg Maginn Or Current Resident 7811 Watersedge Cove Fort Wayne IN 46804 *(Affected Party)*									
13		Rev Kimberly Koczan Or Current Resident 1705 Florida Dr Fort Wayne IN 46805 (Affected Party)									
14		Gina Burgess PO Box 11684 Fort Wayne IN 46859 *(Affected Party)*									
15		Dennis Sinacola Or Current Resident 8705 Crossbank Dr Fort Wayne IN 46816 *(Affected Party)*									

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Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee Remarks
1		Alison Or Current Resident 549 Rose Ave New Haven IN 46774 (Affected Party)									
2		Ann Cornewell Or Current Resident 2130 Sunnymede Dr Fort Wayne IN 46803 *(Affected Party)*									
3		Patty Middleton Or Current Resident 324 Lightning Wood Ct Fort Wayne IN 46804 *(Affected Party)*									
4		Ethan Dahlen Or Current Resident 5820 River Run Trl Fort Wayne IN 46825 *(Affected Party)*									
5		Luis Alvarez Or Current Resident 3401 E Butler Rd Ft Wayne IN 46805 *(Affected Party)*									
6		Current Resident 2210 Beacon St Fort Wayne IN 46805 *(Affected Party)*									
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11											
12											
13											
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15											

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