

## Environmental Protection Agency

## § 63.507

prior to the compliance date was required and/or approved by the Administrator.

(i) If the owner or operator elects not to retain the daily average or batch cycle daily average values, the owner or operator shall notify the Administrator in the next Periodic Report as specified in paragraph (e)(6)(x) of this section. The notification shall identify the parameter and unit of equipment.

(ii) If, on any operating day after the owner or operator has ceased recording daily average or batch cycle daily average values as provided in paragraph (h)(2) of this section, there is an excursion as defined in paragraph (h)(2)(iv) of this section, the owner or operator shall immediately resume retaining the daily average or batch cycle daily average value for each operating day and shall notify the Administrator in the next Periodic Report. The owner or operator shall continue to retain each daily average or batch cycle daily average value until another period of 6 consecutive months has passed without an excursion as defined in paragraph (h)(2)(iv) of this section.

(iii) The owner or operator shall retain the records specified in paragraphs (h)(1)(i) through (h)(1)(iii) of this section, for the duration specified in paragraph (h) of this section. For any calendar week, if compliance with paragraphs (h)(1)(i) through (h)(1)(iii) of this section does not result in retention of a record of at least one occurrence or measured parameter value, the owner or operator shall record and retain at least one parameter value during a period of operation other than a start-up, shutdown, or malfunction.

(iv) For the purposes of paragraph (h) of this section, an excursion means that the daily average or batch cycle daily average value of monitoring data for a parameter is greater than the maximum, or less than the minimum established value, except as provided in paragraphs (h)(2)(iv)(A) and (h)(2)(iv)(B) of this section.

(A) The daily average or batch cycle daily average value during any startup, shutdown, or malfunction shall not be considered an excursion for purposes of paragraph (h)(2) of this section, if the owner or operator operates the source

during such periods in accordance with § 63.6(e)(1).

(B) An excused excursion, as described in § 63.505(i), shall not be considered an excursion for the purposes of paragraph (h)(2) of this section.

[62 FR 46925, Sept. 5, 1996, as amended at 64 FR 11547, Mar. 9, 1999; 65 FR 38076, June 19, 2000; 66 FR 36928, July 16, 2001; 71 FR 20457, Apr. 20, 2006]

### § 63.507 Implementation and enforcement.

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§ 63.480 through 63.481, 63.483(a) through (c), 63.484, 63.485(a) through (k), (m) through (s), (u), 63.486 through 63.487, 63.488(a), (b)(1) through (4), (5)(iv) through (v), (6) through (7), (c) through (i), 63.493 through 63.494, 63.500(a)(1) through (3), (b), 63.501, 63.502(a) through (f), (i), (k) through (m), and 63.503. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. Where these standards reference another subpart and modify the requirements, the requirements shall be modified as described in this subpart. Delegation of the modified requirements will also occur according to

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the delegation provisions of the referenced subpart.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under § 63.8(f), as defined in § 63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90, and as required in this subpart.

[68 FR 37349, June 23, 2003]

TABLE 1 TO SUBPART U OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART U AFFECTED SOURCES

Reference	Applies to subpart U	Explanation
§ 63.1(a)(1)	Yes	§ 63.482 specifies definitions in addition to or that supersede definitions in § 63.2.
§ 63.1(a)(2)	Yes.	
§ 63.1(a)(3)	Yes	§ 63.481(f) through (k) and § 63.160(b) identify those standards which may apply in addition to the requirements of subparts U and H of this part, and specify how compliance shall be achieved.
§ 63.1(a)(4)	Yes	Subpart U (this table) specifies the applicability of each paragraph in subpart A to subpart U.
§ 63.1(a)(5)	No	[Reserved].
§ 63.1(a)(6)–(8)	Yes.	
§ 63.1(a)(9)	No	[Reserved].
§ 63.1(a)(10)	Yes.	
§ 63.1(a)(11)	Yes.	
§ 63.1(a)(12)–(14)	Yes.	
§ 63.1(b)(1)	No	§ 63.480(a) contains specific applicability criteria.
§ 63.1(b)(2)	Yes.	
§ 63.1(b)(3)	No	§ 63.480(b) provides documentation requirements for EPPUs not considered affected sources.
§ 63.1(c)(1)	Yes	Subpart U (this table) specifies the applicability of each paragraph in subpart A to subpart U.
§ 63.1(c)(2)	No	Area sources are not subject to subpart U.
§ 63.1(c)(3)	No	[Reserved].
§ 63.1(c)(4)	Yes.	
§ 63.1(c)(5)	Yes	Except that affected sources are not required to submit notifications that are not required by subpart U.
§ 63.1(d)	No	[Reserved].
§ 63.1(e)	Yes.	
§ 63.2	Yes	§ 63.482 specifies those subpart A definitions that apply to subpart U.
§ 63.3	Yes.	
§ 63.4(a)(1)–(3)	Yes.	
§ 63.4(a)(4)	No	[Reserved].
§ 63.4(a)(5)	Yes.	
§ 63.4(b)	Yes.	
§ 63.4(c)	Yes.	
§ 63.5(a)(1)	Yes	Except the terms “source” and “stationary source” should be interpreted as having the same meaning as “affected source”.
§ 63.5(a)(2)	Yes.	
§ 63.5(b)(1)	Yes	Except § 63.480(i) defines when construction or reconstruction is subject to new source standards.
§ 63.5(b)(2)	No	[Reserved].
§ 63.5(b)(3)	Yes.	
§ 63.5(b)(4)	Yes	Except that the Initial Notification and § 63.9(b) requirements do not apply.
§ 63.5(b)(5)	Yes.	
§ 63.5(b)(6)	Yes	Except that § 63.480(i) defines when construction or reconstruction is subject to the new source standards.
§ 63.5(c)	No	[Reserved].
§ 63.5(d)(1)(i)	Yes	Except that the references to the Initial Notification and § 63.9(b)(5) do not apply.
§ 63.5(d)(1)(ii)	Yes	Except that § 63.5(d)(1)(ii)(H) does not apply.
§ 63.5(d)(1)(iii)	No	§ 63.506(e)(5) and § 63.502(f) specify Notification of Compliance Status requirements.
§ 63.5(d)(2)	No.	
§ 63.5(d)(3)	Yes	Except § 63.5(d)(3)(ii) does not apply, and equipment leaks subject to § 63.502 are exempt.
§ 63.5(d)(4)	Yes.	