

upon which they are based, the calculations and/or analytical methods used to derive values for input parameters, and the procedure used to determine compliance. In addition, the documentation should be sufficient to allow an independent auditor to verify the accuracy of the determination made concerning the facility's compliance with the standard. These records must be kept at the mine or by the owner or operator for at least five years and upon request be made available for inspection by the Administrator, or his authorized representative.

**§ 61.26 Exemption from the reporting and testing requirements of 40 CFR 61.10.**

All facilities designated under this subpart are exempt from the reporting requirements of 40 CFR 61.10.

**Subpart C—National Emission Standard for Beryllium**

**§ 61.30 Applicability.**

The provisions of this subpart are applicable to the following stationary sources:

(a) Extraction plants, ceramic plants, foundries, incinerators, and propellant plants which process beryllium ore, beryllium, beryllium oxide, beryllium alloys, or beryllium-containing waste.

(b) Machine shops which process beryllium, beryllium oxides, or any alloy when such alloy contains more than 5 percent beryllium by weight.

[38 FR 8826, Apr. 6, 1973, as amended at 65 FR 62151, Oct. 17, 2000]

**§ 61.31 Definitions.**

Terms used in this subpart are defined in the act, in subpart A of this part, or in this section as follows:

(a) *Beryllium* means the element beryllium. Where weights or concentrations are specified, such weights or concentrations apply to beryllium only, excluding the weight or concentration of any associated elements.

(b) *Extraction plant* means a facility chemically processing beryllium ore to beryllium metal, alloy, or oxide, or performing any of the intermediate steps in these processes.

(c) *Beryllium ore* means any naturally occurring material mined or gathered for its beryllium content.

(d) *Machine shop* means a facility performing cutting, grinding, turning, honing, milling, deburring, lapping, electrochemical machining, etching, or other similar operations.

(e) *Ceramic plant* means a manufacturing plant producing ceramic items.

(f) *Foundry* means a facility engaged in the melting or casting of beryllium metal or alloy.

(g) *Beryllium-containing waste* means material contaminated with beryllium and/or beryllium compounds used or generated during any process or operation performed by a source subject to this subpart.

(h) *Incinerator* means any furnace used in the process of burning waste for the primary purpose of reducing the volume of the waste by removing combustible matter.

(i) *Propellant* means a fuel and oxidizer physically or chemically combined which undergoes combustion to provide rocket propulsion.

(j) *Beryllium alloy* means any metal to which beryllium has been added in order to increase its beryllium content and which contains more than 0.1 percent beryllium by weight.

(k) *Propellant plant* means any facility engaged in the mixing, casting, or machining of propellant.

**§ 61.32 Emission standard.**

(a) Emissions to the atmosphere from stationary sources subject to the provisions of this subpart shall not exceed 10 grams (0.022 lb) of beryllium over a 24-hour period, except as provided in paragraph (b) of this section.

(b) Rather than meet the requirement of paragraph (a) of this section, an owner or operator may request approval from the Administrator to meet an ambient concentration limit on beryllium in the vicinity of the stationary source of  $0.01 \mu\text{g}/\text{m}^3$  ( $4.37 \times 10^{-6} \text{ gr}/\text{ft}^3$ ), averaged over a 30-day period.

(1) Approval of such requests may be granted by the Administrator provided that: