

Environmental Protection Agency

Pt. 63, Subpt. P P P P P, Table 1

emissions report required under § 63.10(e)(3).

(c) You must meet the testing requirements in 40 CFR 60.374.

(1) Existing sources are not required to conduct a performance test if a prior performance test was conducted using the same methods specified in 40 CFR 60.374 and either no process changes have been made since the test, or you can demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance with this subpart despite process changes.

(2) Sources without a prior performance test, as described in paragraph (c)(1) of this section, must conduct a performance test using the methods specified in 40 CFR 60.374 by 180 days after the compliance date.

[72 FR 38913, July 16, 2007, as amended at 73 FR 15929, Mar. 26, 2008]

§ 63.11424 [Reserved]

OTHER REQUIREMENTS AND INFORMATION

§ 63.11425 What General Provisions apply to this subpart?

(a) The provisions in 40 CFR part 63, subpart A, that are applicable to this subpart are specified in Table 1 to this subpart.

(b) For existing sources, the initial notification required by § 63.9(b) must be submitted not later than November 13, 2007.

(c) For existing sources, the initial notification of compliance required by § 63.9(h) must be submitted not later than March 13, 2009.

[72 FR 38913, July 16, 2007, as amended at 73 FR 15929, Mar. 26, 2008]

§ 63.11426 What definitions apply to this subpart?

The terms used in this subpart are defined in the CAA; 40 CFR 60.371; 40 CFR 60.2 for terms used in the applica-

ble provisions of 40 CFR part 60, subpart A; and § 63.2 for terms used in the applicable provisions of 40 CFR part 63, subpart A.

[72 FR 38913, July 16, 2007, as amended at 73 FR 15929, Mar. 26, 2008]

§ 63.11427 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. EPA or a delegated authority such as a State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or tribal agency pursuant to 40 CFR part 63, subpart E, then that Agency has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or tribal agency within your State.

(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 approval authorities contained in paragraphs (b)(1) through (4) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(1) Approval of an alternative non-opacity emissions standard under § 63.6(g).

(2) Approval of a major change to test methods under § 63.7(e)(2)(ii) and (f). A “major change to test method” is defined in § 63.90.

(3) Approval of a major change to monitoring under § 63.8(f). A “major change to monitoring” is defined in § 63.90.

(4) Approval of a major change to recordkeeping/reporting under § 63.10(f). A “major change to recordkeeping/reporting” is defined in § 63.90.

[72 FR 38913, July 16, 2007, as amended at 73 FR 15929, Mar. 26, 2008]

TABLE 1 TO SUBPART P P P P P OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART P P P P P

As required in § 63.11425, you must comply with the requirements of the NESHAP General Provisions (40 CFR part 63, subpart A) as shown in the following table.

Citation	Subject	Applies to Subpart PPTPPP?	Explanation
63.1	Applicability	Yes.	Subpart PPTPPP does not require a startup, shutdown, and malfunction plan.
63.2	Definitions	Yes.	
63.3	Units and Abbreviations.	Yes.	
63.4	Prohibited Activities and Circumvention.		
63.5	Preconstruction Review and Notification Requirements.	No.	
63.6(a)–(d), (e)(1), (f)–(j) ...	Compliance with Standards and Maintenance Requirements.	Yes.	
63.6(e)(3)		No	
63.7	Performance Testing Requirements.	Yes.	
63.8	Monitoring Requirements	Yes.	
63.9	Notification Requirements	Yes.	
63.10(a)–(c), (d)(1)–(4), (e), (f).	Recordkeeping and Reporting Requirements.	Yes.	Subpart PPTPPP does not require a startup, shutdown, and malfunction plan. Subpart PPTPPP does not require flares.
63.10(d)(5)		No	
63.11	Control Device Requirements.	No	
63.12	State Authorities and Delegations.	Yes.	
63.13	Addresses	Yes.	
63.14	Incorporations by Reference.	Yes.	
63.15	Availability of Information and Confidentiality.	Yes.	
63.16	Performance Track Provisions.	Yes.	
63.1(a)(5), (a)(7)–(9), (b)(2), (c)(3), (d), 63.6(b)(6), (c)(3), (c)(4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv), 63.8(a)(3), 63.9(b)(3), (h)(4), 63.10(c)(2)–(c)(4), (c)(9).	Reserved	No.	

[72 FR 38913, July 16, 2007, as amended at 73 FR 15929, Mar. 26, 2008]

Subpart ~~PPPPPP~~—National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources

SOURCE: 72 FR 38915, July 16, 2007, unless otherwise noted.

APPLICABILITY AND COMPLIANCE DATES

§ 63.11428 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate a wood preserving operation that is an area source of hazardous air pollutant (HAP) emissions.

(b) The affected source is each new or existing wood preserving operation.

(1) An affected source is existing if you commenced construction or reconstruction of the affected source on or before April 4, 2007.

(2) An affected source is new if you commenced construction or reconstruction of the affected source after April 4, 2007.

(c) You are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not otherwise required by law to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a). Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart.