

Environmental Protection Agency

§ 63.1354

(1) December 21, 2009, for sources that commenced construction after December 2, 2005 and before or on December 20, 2006, or

(2) Startup for sources that commenced construction after December 20, 2006.

(c) The compliance date for existing sources for all the requirements that became effective on November 8, 2010 will be September 9, 2013.

(d) The compliance date for new sources is November 9, 2010 or startup, whichever is later.

[76 FR 2836, Jan. 18, 2011]

§ 63.1352 Additional test methods.

(a) If you are conducting tests to determine the rates of emission of HCl from kilns and associated bypass stacks at portland cement manufacturing facilities, for use in applicability determinations under § 63.1340, you may use Method 320 or Method 321 of appendix A of this part.

(b) Owners or operators conducting tests to determine the rates of emission of specific organic HAP from raw material dryers, kilns and in-line kiln/raw mills at Portland cement manufacturing facilities, solely for use in applicability determinations under § 63.1340 of this subpart are permitted to use Method 320 of appendix A to this part, or Method 18 of appendix A to part 60 of this chapter.

[75 FR 55063, Sept. 9, 2010]

NOTIFICATION, REPORTING AND RECORDKEEPING

§ 63.1353 Notification requirements.

(a) The notification provisions of 40 CFR part 63, subpart A that apply and those that do not apply to owners and operators of affected sources subject to this subpart are listed in Table 1 of this subpart. If any State requires a notice that contains all of the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

(b) Each owner or operator subject to the requirements of this subpart shall

comply with the notification requirements in § 63.9 as follows:

(1) Initial notifications as required by § 63.9(b) through (d). For the purposes of this subpart, a Title V or 40 CFR part 70 permit application may be used in lieu of the initial notification required under § 63.9(b), provided the same information is contained in the permit application as required by § 63.9(b), and the State to which the permit application has been submitted has an approved operating permit program under part 70 of this chapter and has received delegation of authority from the EPA. Permit applications shall be submitted by the same due dates as those specified for the initial notification.

(2) Notification of performance tests, as required by §§ 63.7 and 63.9(e).

(3) Notification of opacity and visible emission observations required by § 63.1349 in accordance with §§ 63.6(h)(5) and 63.9(f).

(4) Notification, as required by § 63.9(g), of the date that the continuous emission monitor performance evaluation required by § 63.8(e) is scheduled to begin.

(5) Notification of compliance status, as required by § 63.9(h).

§ 63.1354 Reporting requirements.

(a) The reporting provisions of subpart A of this part that apply and those that do not apply to owners or operators of affected sources subject to this subpart are listed in Table 1 of this subpart. If any State requires a report that contains all of the information required in a report listed in this section, the owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.

(b) The owner or operator of an affected source shall comply with the reporting requirements specified in § 63.10 of the general provisions of this part 63, subpart A as follows:

(1) As required by § 63.10(d)(2), the owner or operator shall report the results of performance tests as part of the notification of compliance status.

(2) As required by § 63.10(d)(3), the owner or operator of an affected source shall report the opacity results from tests required by § 63.1349.

(3) As required by § 63.10(d)(4), the owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under § 63.6(i) shall submit such reports by the dates specified in the written extension of compliance.

(4) As required by § 63.10(d)(5), if actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan specified in § 63.6(e)(3), the owner or operator shall state such information in a semi-annual report. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report may be submitted simultaneously with the excess emissions and continuous monitoring system performance reports; and

(5) Any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures in the startup, shutdown, and malfunction plan, the owner or operator shall make an immediate report of the actions taken for that event within 2 working days, by telephone call or facsimile (FAX) transmission. The immediate report shall be followed by a letter, certified by the owner or operator or other responsible official, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and whether any excess emissions and/or parameter monitoring exceedances are believed to have occurred.

(6) As required by § 63.10(e)(2), the owner or operator shall submit a written report of the results of the performance evaluation for the continuous monitoring system required by § 63.8(e). The owner or operator shall submit the report simultaneously with the results of the performance test.

(7) As required by § 63.10(e)(2), the owner or operator of an affected source using a continuous opacity monitoring system to determine opacity compliance during any performance test re-

quired under § 63.7 and described in § 63.6(d)(6) shall report the results of the continuous opacity monitoring system performance evaluation conducted under § 63.8(e).

(8) As required by § 63.10(e)(3), the owner or operator of an affected source equipped with a continuous emission monitor shall submit an excess emissions and continuous monitoring system performance report for any event when the continuous monitoring system data indicate the source is not in compliance with the applicable emission limitation or operating parameter limit.

(9) The owner or operator shall submit a summary report semiannually which contains the information specified in § 63.10(e)(3)(vi). In addition, the summary report shall include:

(i) All exceedences of maximum control device inlet gas temperature limits specified in § 63.1344(a) and (b);

(ii) All failures to calibrate thermocouples and other temperature sensors as required under § 63.1350(f)(7) of this subpart; and

(iii) All failures to maintain the activated carbon injection rate, and the activated carbon injection carrier gas flow rate or pressure drop, as applicable, as required under § 63.1344(c).

(iv) The results of any combustion system component inspections conducted within the reporting period as required under § 63.1350(i).

(v) All failures to comply with any provision of the operation and maintenance plan developed in accordance with § 63.1350(a).

(vi) Monthly rolling average mercury, THC, PM, and HCl (if applicable) emissions levels in the units of the applicable emissions limit for each kiln, clinker cooler, and raw material dryer.

(10) If the total continuous monitoring system downtime for any CEM or any continuous monitoring system (CMS) for the reporting period is ten percent or greater of the total operating time for the reporting period, the owner or operator shall submit an excess emissions and continuous monitoring system performance report along with the summary report.

(c) The semiannual report required by paragraph (b)(9) of this section must include the number, duration, and a

Environmental Protection Agency

§ 63.1357

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 § 63.1348(d), including actions taken to correct a malfunction.

[64 FR 31925, June 14, 1999, as amended at 75 FR 55063, Sept. 9, 2010]

§ 63.1355 Recordkeeping requirements.

(a) The owner or operator shall maintain files of all information (including all reports and notifications) required by this section recorded in a form suitable and readily available for inspection and review as required by § 63.10(b)(1). The files shall be retained for at least five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two years of data shall be retained on site. The remaining three years of data may be retained off site. The files may be maintained on microfilm, on a computer, on floppy disks, on magnetic tape, or on microfiche.

(b) The owner or operator shall maintain records for each affected source as required by § 63.10(b)(2) and (b)(3) of this part; and

(1) All documentation supporting initial notifications and notifications of compliance status under § 63.9;

(2) All records of applicability determination, including supporting analyses; and

(3) If the owner or operator has been granted a waiver under § 63.8(f)(6), any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements.

(c) In addition to the recordkeeping requirements in paragraph (b) of this section, the owner or operator of an affected source equipped with a continuous monitoring system shall maintain all records required by § 63.10(c).

(d) You must keep annual records of the amount of CKD which is removed from the kiln system and either disposed of as solid waste or otherwise re-

cycled for a beneficial use outside of the kiln system.

(e) You must keep records of the daily clinker production rates and kiln feed rates.

(f) You must keep records of the occurrence and duration of each startup or shutdown.

(g)(1) You must keep records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

(2) You must keep records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.1348(d) including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

[64 FR 31925, June 14, 1999, as amended at 71 FR 76552, Dec. 20, 2006; 75 FR 55064, Sept. 9, 2010]

OTHER

§ 63.1356 Sources with multiple emission limits or monitoring requirements.

If an affected facility subject to this subpart has a different emission limit or requirement for the same pollutant under another regulation in title 40 of this chapter, the owner or operator of the affected facility must comply with the most stringent emission limit or requirement and is exempt from the less stringent requirement.

[75 FR 55064, Sept. 9, 2010]

§ 63.1357 Temporary, conditioned exemption from particulate matter and opacity standards.

(a) Subject to the limitations of paragraphs (b) through (f) of this section, an owner or operator conducting PM CEMS correlation tests (that is, correlation with manual stack methods) is exempt from:

(1) Any particulate matter and opacity standards of part 60 or part 63 of this chapter that are applicable to cement kilns and in-line kiln/raw mills.

(2) Any permit or other emissions or operating parameter or other limitation on workplace practices that are applicable to cement kilns and in-line kiln raw mills to ensure compliance