

the same or better level of control as the original sorbent.

(f) No kiln may use as a raw material or fuel any fly ash where the mercury content of the fly ash has been increased through the use of activated carbon, or any other sorbent, unless the facility can demonstrate that the use of that fly ash will not result in an increase in mercury emissions over baseline emissions (*i.e.*, emissions not using the fly ash). The facility has the burden of proving there has been no emissions increase over baseline. Once the kiln must comply with a mercury limit specified in § 63.1343, this paragraph no longer applies.

[75 FR 55054, Sept. 9, 2010]

§ 63.1347 Operation and maintenance plan requirements.

(a) You must prepare, for each affected source subject to the provisions of this subpart, a written operations and maintenance plan. The plan must be submitted to the Administrator for review and approval as part of the application for a part 70 permit and must include the following information:

(1) Procedures for proper operation and maintenance of the affected source and air pollution control devices in order to meet the emission limits and operating limits of §§ 63.1343 through 63.1348;

(2) Corrective actions to be taken when required by paragraph § 63.1350(f)(3);

(3) Procedures to be used during an inspection of the components of the combustion system of each kiln and each in-line kiln raw mill located at the facility at least once per year.

(b) Failure to comply with any provision of the operations and maintenance plan developed in accordance with this section is a violation of the standard.

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§ 63.1348 Compliance requirements.

(a) *Initial compliance requirements.* For an affected source subject to this subpart, you must demonstrate initial compliance with the emissions standards and operating limits by using the test methods and procedures in §§ 63.1349 and 63.7.

(1) *PM compliance.* If you are subject to limitations on PM emissions under § 63.1343(b), you must demonstrate initial compliance with the PM emissions standards by using the test methods and procedures in § 63.1349(b)(1).

(i) You must demonstrate initial compliance by conducting a performance test as specified in § 63.1349(b)(1)(i).

(ii) Compliance with the PM emissions standard must be determined based on the first 30 operating days you operate a PM CEMS.

(2) *Opacity compliance.* If you are subject to the limitations on opacity under § 63.1345, you must demonstrate initial compliance with the opacity emissions standards by using the performance test methods and procedures in § 63.1349(b)(2). The maximum 6-minute average opacity exhibited during the performance test period must be used to determine whether the affected source is in initial compliance with the standard.

(3) *D/F compliance.* (i) If you are subject to limitations on D/F emissions under § 63.1343(b), you must demonstrate initial compliance with the D/F emissions standards by using the performance test methods and procedures in § 63.1349(b)(3). The owner or operator of a kiln with an in-line raw mill must demonstrate initial compliance by conducting separate performance tests while the raw mill is operating and the raw mill is not operating. The D/F concentration must be determined for each run and the arithmetic average of the concentrations measured for the three runs must be calculated to determine compliance.

(ii) If you are subject to a D/F emission limitation under § 63.1343(b), you must demonstrate initial compliance with the temperature operating limits specified in § 63.1344 by using the performance test methods and procedures in § 63.1349(b)(3)(ii) through (b)(3)(iv). The average of the run temperatures will determine the applicable temperature limit.

(iii) If activated carbon injection is used and you are subject to a D/F emission limitation under § 63.1343(b), you must demonstrate initial compliance with the activated carbon injection rate operating limits specified in