

**Environmental Protection Agency**

**§ 63.1211**

(3) The Notification of Compliance requirements of § 63.1207(j) also apply.

**§ 63.1211 What are the recordkeeping and reporting requirements?**

[64 FR 53038, Sept. 30, 1999, as amended at 64 FR 63211, Nov. 19, 1999; 65 FR 42301, July 10, 2000; 66 FR 24272, May 14, 2001; 67 FR 6992, Feb. 14, 2002; 70 FR 59552, Oct. 12, 2005; 73 FR 18982, Apr. 8, 2008; 73 FR 64097, Oct. 28, 2008]

(a) *Summary of reporting requirements.* You must submit the following reports to the Administrator:

Reference	Report
63.10(d)(4) .....	Compliance progress reports, if required as a condition of an extension of the compliance date granted under § 63.6(i).
63.10(d)(5)(i) .....	Periodic startup, shutdown, and malfunction reports.
63.10(d)(5)(ii) .....	Immediate startup, shutdown, and malfunction reports.
63.10(e)(3) .....	Excessive emissions and continuous monitoring system performance report and summary report.
63.1206(c)(2)(ii)(B) .....	Startup, shutdown, and malfunction plan.
63.1206(c)(3)(vi) .....	Excessive exceedances reports.
63.1206(c)(4)(iv) .....	Emergency safety vent opening reports.

(b) *Summary of recordkeeping requirements.* You must retain the following in the operating record:

Reference	Document, Data, or Information
63.1200, 63.10(b) and (c)	General. Information required to document and maintain compliance with the regulations of Subpart EEE, including data recorded by continuous monitoring systems (CMS), and copies of all notifications, reports, plans, and other documents submitted to the Administrator.
63.1204(d)(1)(ii), 63.1220(d)(1)(ii).	Documentation of mode of operation changes for cement kilns with in-line raw mills.
63.1204(d)(2)(ii), 63.1220(d)(2)(ii).	Documentation of compliance with the emission averaging requirements for cement kilns with in-line raw mills.
63.1204(e)(2)(ii), 63.1220(e)(2)(ii).	Documentation of compliance with the emission averaging requirements for preheater or preheater/precalciner kilns with dual stacks.
63.1206(b)(1)(ii) .....	If you elect to comply with all applicable requirements and standards promulgated under authority of the Clean Air Act, including Sections 112 and 129, in lieu of the requirements of Subpart EEE when not burning hazardous waste, you must document in the operating record that you are in compliance with those requirements.
63.1206(b)(5)(ii) .....	Documentation that a change will not adversely affect compliance with the emission standards or operating requirements.
63.1206(b)(11) .....	Calculation of hazardous waste residence time.
63.1206(c)(2) .....	Startup, shutdown, and malfunction plan.
63.1206(c)(2)(v)(A) .....	Documentation of your investigation and evaluation of excessive exceedances during malfunctions.
63.1206(c)(3)(v) .....	Corrective measures for any automatic waste feed cutoff that results in an exceedance of an emission standard or operating parameter limit.
63.1206(c)(3)(vii) .....	Documentation and results of the automatic waste feed cutoff operability testing.
63.1206(c)(4)(ii) .....	Emergency safety vent operating plan.
63.1206(c)(4)(iii) .....	Corrective measures for any emergency safety vent opening.
63.1206(c)(5)(ii) .....	Method used for control of combustion system leaks.
63.1206(c)(6) .....	Operator training and certification program.
63.1206(c)(7)(i)(D) .....	Operation and maintenance plan.
63.1209(c)(2) .....	Feedstream analysis plan.
63.1209(k)(6)(iii), 63.1209(k)(7)(ii), 63.1209(k)(9)(ii), 63.1209(o)(4)(iii).	Documentation that a substitute activated carbon, dioxin/furan formation reaction inhibitor, or dry scrubber sorbent will provide the same level of control as the original material.
63.1209(k)(7)(i)(C) .....	Results of carbon bed performance monitoring.
63.1209(q) .....	Documentation of changes in modes of operation.
63.1211(c) .....	Documentation of compliance.

(c) *Documentation of compliance.* (1) By the compliance date, you must develop and include in the operating record a Documentation of Compli-

ance. You are not subject to this requirement, however, if you submit a Notification of Compliance under § 63.1207(j) prior to the compliance date.

## § 63.1212

## 40 CFR Ch. I (7–1–13 Edition)

Upon inclusion of the Documentation of Compliance in the operating record, hazardous waste burning incinerators, cement kilns, and lightweight aggregate kilns regulated under the interim standards of §§ 63.1203, 63.1204, and 63.1205 are no longer subject to compliance with the previously applicable Notification of Compliance.

(2) The Documentation of Compliance must identify the applicable emission standards under this subpart and the limits on the operating parameters under § 63.1209 that will ensure compliance with those emission standards.

(3) You must include a signed and dated certification in the Documentation of Compliance that:

(i) Required CEMs and CMS are installed, calibrated, and continuously operating in compliance with the requirements of this subpart; and

(ii) Based on an engineering evaluation prepared under your direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information and supporting documentation, and considering at a minimum the design, operation, and maintenance characteristics of the combustor and emissions control equipment, the types, quantities, and characteristics of feedstreams, and available emissions data:

(A) You are in compliance with the emission standards of this subpart; and

(B) The limits on the operating parameters under § 63.1209 ensure compliance with the emission standards of this subpart.

(4) You must comply with the emission standards and operating parameter limits specified in the Documentation of Compliance.

(d) *Data compression.* You may submit a written request to the Administrator for approval to use data compression techniques to record data from CMS, including CEMS, on a frequency less than that required by § 63.1209. You must submit the request for review and approval as part of the comprehensive performance test plan.

(1) You must record a data value at least once each ten minutes.

(2) For each CEMS or operating parameter for which you request to use

data compression techniques, you must recommend:

(i) A fluctuation limit that defines the maximum permissible deviation of a new data value from a previously generated value without requiring you to revert to recording each one-minute value.

(A) If you exceed a fluctuation limit, you must record each one-minute value for a period of time not less than ten minutes.

(B) If neither the fluctuation limit nor the data compression limit are exceeded during that period of time, you may reinitiate recording data values on a frequency of at least once each ten minutes; and

(ii) A data compression limit defined as the closest level to an operating parameter limit or emission standard at which reduced data recording is allowed.

(A) Within this level and the operating parameter limit or emission standard, you must record each one-minute average.

(B) The data compression limit should reflect a level at which you are unlikely to exceed the specific operating parameter limit or emission standard, considering its averaging period, with the addition of a new one-minute average.

[64 FR 53038, Sept. 30, 1999, as amended at 64 FR 63212, Nov. 19, 1999; 65 FR 42301, July 10, 2000; 66 FR 24272, May 14, 2001; 66 FR 35106, July 3, 2001; 67 FR 6993, Feb. 14, 2002; 70 FR 59554, Oct. 12, 2005]

### OTHER

#### § 63.1212 What are the other requirements pertaining to the NIC?

(a) *Certification of intent to comply.* The Notice of Intent to Comply (NIC) must contain the following certification signed and dated by a responsible official as defined under § 63.2 of this chapter: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am