

Environmental Protection Agency

Pt. 63, Subpt. LLLLL, Table 7

You must submit—	The report must contain—	You must submit the report—
	<p>c. If you have a deviation from any emission limitation (emission limit, operating limit, opacity limit, and visible emission limit), the report must contain the information in § 63.8693(c). If there were periods during which the CPMS, CEMS, or COMS was out-of-control, as specified in § 63.8(c)(7), the report must contain the information in § 63.8693(d).</p> <p>d. If you had a startup, shutdown or malfunction during the reporting period and you took actions consistent with your startup, shutdown, and malfunction plan, the compliance report must include the information in § 63.10(d)(5)(i).</p>	<p>Semiannually according to the requirements in § 63.8693(b).</p> <p>Semiannually according to the requirements in § 63.8693(b).</p>
6. An immediate startup, shutdown, and malfunction report if you have a startup, shutdown, or malfunction during the reporting period and actions taken were not consistent with your startup, shutdown, and malfunction plan.	The information in § 63.10(d)(5)(ii) .....	By fax or telephone within 2 working days after starting actions inconsistent with the plan followed by a letter within 7 working days after the end of the event unless you have made alternative arrangements with the permitting authority.

TABLE 7 TO SUBPART LLLLL OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART LLLLL

Citation	Subject	Brief description	Applies to subpart LLLLL
§ 63.1 .....	Applicability .....	Initial Applicability Determination; Applicability After Standard Established; Permit Requirements; Extensions, Notifications.	Yes.
§ 63.2 .....	Definitions .....	Definitions for part 63 standards .....	Yes.
§ 63.3 .....	Units and Abbreviations .....	Units and abbreviations for part 63 standards.	Yes.
§ 63.4 .....	Prohibited Activities .....	Prohibited Activities; Compliance date; Circumvention, Severability.	Yes.
§ 63.5 .....	Construction/Reconstruction .....	Applicability; applications; approvals ...	Yes.
§ 63.6(a) .....	Applicability .....	GP apply unless compliance extension GP apply to area sources that become major.	Yes.
§ 63.6(b)(1)–(4) .....	Compliance Dates for New and Reconstructed sources.	Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for section 112(f).	Yes.
§ 63.6(b)(5) .....	Notification .....	Must notify if commenced construction or reconstruction after proposal.	Yes.
§ 63.6(b)(6) .....	[Reserved].		
§ 63.6(b)(7) .....	Compliance Dates for New and Reconstructed Area Sources That Become Major.	Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source.	Yes.
§ 63.6(c)(1)–(2) .....	Compliance Dates for Existing Sources.	1. Comply according to date in subpart, which must be no later than 3 years after effective date. 2. For section 112(f) standards, comply within 90 days of effective date unless compliance extension has been granted.	Yes.
§ 63.6(c)(3)–(4) .....	[Reserved].		
§ 63.6(c)(5) .....	Compliance Dates for Existing Area Sources That Become Major.	Area sources that become major must comply with major source standards by date indicated in subpart or by equivalent time period (for example, 3 years).	Yes.
§ 63.6(d) .....	[Reserved].		

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Citation	Subject	Brief description	Applies to subpart LLLLL
§ 63.6(e)(1) .....	Operation & Maintenance .....	1. Operate to minimize emissions at all times. 2. Correct malfunctions as soon as practicable. 3. Operation and maintenance requirements independently enforceable; information Administrator will use to determine if operation and maintenance requirements were met.	Yes.
§ 63.6(e)(2) .....	[Reserved].		
§ 63.6(e)(3) .....	Startup, Shutdown, and Malfunction (SSM) Plan (SSMP).	1. Requirement for SSM and startup, shutdown, malfunction plan. 2. Content of SSMP .....	Yes.
§ 63.6(f)(1) .....	Compliance Except During SSM .....	You must comply with emission standards at all times except during SSM.	Yes.
§ 63.6(f)(2)-(3) .....	Methods for Determining Compliance	Compliance based on performance test, operation and maintenance plans, records, inspection.	Yes.
§ 63.6(g)(1)-(3) .....	Alternative Nonopacity Standard .....	Procedures for getting an alternative nonopacity standard.	Yes.
§ 63.6(h) .....	Opacity/Visible Emission (VE) Standards.	Requirements for opacity and VE limits.	Yes.
§ 63.6(h)(1) .....	Compliance with Opacity/VE Standards.	You must comply with opacity/VE emission limitations at all times except during SSM.	Yes.
§ 63.6(h)(2)(i) .....	Determining Compliance with Opacity/VE Standards.	If standard does not state test method, use EPA test method 9, 40 CFR 60, appendix A for opacity and EPA test method 22, 40 CFR 60, appendix A for VE.	No. The test methods for opacity and visible emissions are specified in § 63.8687.
§ 63.6(h)(2)(ii) .....	[Reserved].		
§ 63.6(h)(2)(iii) .....	Using Previous Tests to Demonstrate Compliance with Opacity/VE Standards.	Criteria for when previous opacity/VE testing can be used to show compliance with this rule.	Yes.
§ 63.6(h)(3) .....	[Reserved].		
§ 63.6(h)(4) .....	Notification of Opacity/VE Observation Date.	Must notify Administrator of anticipated date of observation.	Yes.
§ 63.6(h)(5)(i), (iii)-(v) .....	Conducting Opacity/VE Observations	Dates and Schedule for conducting opacity/VE observations.	Yes.
§ 63.6(h)(5)(ii) .....	Opacity Test Duration and Averaging Times.	Must have at least 3 hours of observation with thirty 6-minute averages.	Yes.
§ 63.6(h)(6) .....	Records of Conditions During Opacity/VE Observations.	Must keep records available and allow Administrator to inspect.	Yes.
§ 63.6(h)(7)(i) .....	Report COMS Monitoring Data from Performance Test.	Must submit COMS data with other performance test data.	Yes, if COMS used.
§ 63.6(h)(7)(ii) .....	Using COMS instead of EPA test method 9, 40 CFR 60, appendix A.	Can submit COMS data instead of EPA test method 9, 40 CFR 60, appendix A results even if rule requires EPA test method 9, 40 CFR 60, appendix A, but must notify Administrator before performance test.	Yes, if COMS used.
§ 63.6(h)(7)(iii) .....	Averaging time for COMS during performance test.	To determine compliance, must reduce COMS data to 6-minute averages.	Yes, if COMS used.
§ 63.6(h)(7)(iv) .....	COMS requirements .....	Owner/operator must demonstrate that COMS performance evaluations are conducted according to § 63.8(e), COMS are properly maintained and operated according to § 63.8(c) and data quality as § 63.8(d).	Yes, if COMS used.
§ 63.6(h)(7)(v) .....	Determining Compliance with Opacity/VE Standards.	COMS is probative but not conclusive evidence of compliance with opacity standard, even if EPA test method 9, 40 CFR 60, appendix A observation shows otherwise. Requirements for COMS to be probative evidence, proper maintenance, meeting PS 1, and data have not been altered.	Yes, if COMS used.

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Citation	Subject	Brief description	Applies to subpart LLLLL
§ 63.6(h)(8) .....	Determining Compliance with Opacity/VE Standards.	Administrator will use all COMS, EPA test method 9, 40 CFR 60, appendix A, and EPA test method 22, 40 CFR 60, appendix A results, as well as information about operation and maintenance to determine compliance.	Yes.
§ 63.6(h)(9) .....	Adjusted Opacity Standard .....	Procedures for Administrator to adjust an opacity standard.	Yes.
§ 63.6(i) .....	Compliance Extension .....	Procedures and criteria for Administrator to grant compliance extension.	Yes.
§ 63.6(j) .....	Presidential Compliance Exemption ...	President may exempt source category from requirement to comply with rule.	Yes.
§ 63.7(a)(1)–(2) .....	Performance Test Dates .....	Dates for conducting initial performance testing and other compliance demonstrations. Must conduct 180 days after first subject to rule.	Yes.
§ 63.7(a)(3) .....	Section 114 Authority .....	Administrator may require a performance test under CAA section 114 at any time.	Yes.
§ 63.7(b)(1) .....	Notification of Performance Test .....	Must notify Administrator 60 days before the test.	Yes.
§ 63.7(b)(2) .....	Notification of Rescheduling .....	If rescheduling a performance test is necessary, must notify Administrator 5 days before scheduled date of rescheduled date.	Yes.
§ 63.7(c) .....	Quality Assurance/Test Plan .....	1. Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with: 2. Test plan approval procedures ..... 3. Performance audit requirements ..... 4. Internal and external QA procedures for testing.	Yes.
§ 63.7(d) .....	Testing Facilities .....	Requirements for testing facilities	Yes.
§ 63.7(e)(1) .....	Conditions for Conducting Performance Tests.	1. Performance tests must be conducted under representative conditions. Cannot conduct performance tests during SSM. 2. Not a violation to exceed standard during SSM.	Yes.
§ 63.7(e)(2) .....	Conditions for Conducting Performance Tests.	Must conduct according to rule and EPA test methods unless Administrator approves alternative.	Yes.
§ 63.7(e)(3) .....	Test Run Duration .....	1. Must have three test runs of at least 1 hour each. 2. Compliance is based on arithmetic mean of three runs. 3. Conditions when data from an additional test run can be used.	Yes.
§ 63.7(f) .....	Alternative Test Method .....	Procedures by which Administrator can grant approval to use an alternative test method.	Yes.
§ 63.7(g) .....	Performance Test Data Analysis .....	1. Must include raw data in performance test report. 2. Must submit performance test data 60 days after end of test with the Notification of Compliance Status. 3. Keep data for 5 years .....	Yes.
§ 63.7(h) .....	Waiver of Tests .....	Procedures for Administrator to waive performance test.	Yes.
§ 63.8(a)(1) .....	Applicability of Monitoring Requirements.	Subject to all monitoring requirements in standard.	Yes.
§ 63.8(a)(2) .....	Performance Specifications .....	Performance Specifications in appendix B of part 60 apply.	Yes, if CEMS used.
§ 63.8(a)(3) .....	[Reserved]		
§ 63.8(a)(4) .....	Monitoring with Flares .....	Unless your rule says otherwise, the requirements for flares in § 63.11 apply.	Yes.
§ 63.8(b)(1) .....	Monitoring .....	Must conduct monitoring according to standard unless Administrator approves alternative.	Yes.

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Citation	Subject	Brief description	Applies to subpart LLLLL
§ 63.8(b) (2)–(3) .....	Multiple Effluents and Multiple Monitoring Systems.	1. Specific requirements for installing monitoring systems. 2. Must install on each effluent before it is combined and before it is released to the atmosphere unless Administrator approves otherwise. 3. If more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup.	Yes.
§ 63.8(c)(1) .....	Monitoring System Operation and Maintenance.	Maintain monitoring system in a manner consistent with good air pollution control practices.	Yes.
§ 63.8(c)(1)(i) .....	Routine and predictable CMS malfunction.	1. Keep parts for routine repairs readily available. 2. Reporting requirements for CMS malfunction when action is described in SSM plan.	Yes.
§ 63.8(c)(1)(ii) .....	CMS malfunction not in SSP plan .....	Reporting requirements for CMS malfunction when action is not described in SSM plan.	Yes.
§ 63.8(c)(1)(iii) .....	Compliance with Operation and Maintenance Requirements.	1. How Administrator determines if source complying with operation and maintenance requirements. 2. Review of source O&M procedures, records, manufacturer's instructions, recommendations, and inspection of monitoring system.	Yes.
§ 63.8(c)(2)–(3) .....	Monitoring System Installation .....	1. Must install to get representative emission and parameter measurements. 2. Must verify operational status before or at performance test.	Yes.
§ 63.8(c)(4) .....	CMS Requirements .....	CMS must be operating except during breakdown, out-of-control, repair, maintenance, and high-level calibration drifts.	No; § 63.8690 specifies the CMS requirements.
§ 63.8(c)(4)(i)–(ii) .....	CMS Requirements .....	1. COMS must have a minimum of one cycle of sampling and analysis for each successive 10-second period and one cycle of data recording for each successive 6-minute period. 2. CEMS must have a minimum of one cycle of operation for each successive 15-minute period.	Yes, if COMS used.
§ 63.8(c)(5) .....	COMS Minimum Procedures .....	COMS minimum procedures	Yes.
§ 63.8(c)(6) .....	CMS Requirements .....	Zero and High level calibration check requirements.	No; § 63.8688 specifies the CMS requirements.
§ 63.8(c)(7)–(8) .....	CMS Requirements .....	Out-of-control periods, including reporting.	Yes.
§ 63.8(d) .....	CMS Quality Control .....	1. Requirements for CMS quality control, including calibration, etc. 2. Must keep quality control plan on record for the life of the affected source. 3. Keep old versions for 5 years after revisions.	No; § 63.8688 specifies the CMS requirements.
§ 63.8(e) .....	CMS Performance Evaluation .....	Notification, performance evaluation test plan, reports.	No; § 63.8688 specifies the CMS requirements.
§ 63.8(f)(1)–(5) .....	Alternative Monitoring Method .....	Procedures for Administrator to approve alternative monitoring.	Yes.
§ 63.8(f)(6) .....	Alternative to Relative Accuracy Test ..	Procedures for Administrator to approve alternative relative accuracy tests for CEMS.	Yes, if CEMS used.
§ 63.8(g)(1)–(4) .....	Data Reduction .....	1. COMS 6-minute averages calculated over at least 36 evenly spaced data points. 2. CEMS 1-hour averages computed over at least 4 equally spaced data points.	Yes, if CEMS or COMS used.

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Citation	Subject	Brief description	Applies to subpart LLLL
§ 63.8(g)(5) .....	Data Reduction .....	Data that cannot be used in computing averages for CMS.	No; § 63.8690 specifies the CMS requirements.
§ 63.9(a) .....	Notification Requirements .....	Applicability and State Delegation	Yes.
§ 63.9(b)(1)–(5) .....	Initial Notifications .....	1. Submit notification 120 days after effective date. 2. Notification of intent to construct/reconstruct; notification of commencement of construct/reconstruct; notification of startup. 3. Contents of each	Yes.
§ 63.9(c) .....	Request for Compliance Extension .....	Can request if cannot comply by date or if installed Best Achievable Control Technology (BACT)/Lowest Achievable Emission Rate (LAER).	Yes.
§ 63.9(d) .....	Notification of Special Compliance Requirements for New Source.	For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date.	Yes.
§ 63.9(e) .....	Notification of Performance Test .....	Notify Administrator 60 days prior	Yes.
§ 63.9(f) .....	Notification of VE/Opacity Test .....	Notify Administrator 30 days prior	Yes.
§ 63.9(g) .....	Additional Notifications When Using CMS.	1. Notification of performance evaluation. 2. Notification using COMS data 3. Notification that the criterion for use of alternative to relative accuracy testing was exceeded.	No; § 63.8692 specifies the CMS notification requirements.
§ 63.9(h)(1)–(6) .....	Notification of Compliance Status .....	1. Contents. 2. Due 60 days after end of performance test or other compliance demonstration, except for opacity/VE, which are due 30 days after. 3. When to submit to Federal vs. State authority.	Yes.
§ 63.9(i) .....	Adjustment of Submittal Deadlines .....	Procedures for Administrator to approve change in dates when notifications must be submitted.	Yes.
§ 63.9(j) .....	Change in Previous Information .....	Must submit within 15 days after the change.	Yes.
§ 63.10(a) .....	Recordkeeping/Reporting .....	1. Applies to all, unless compliance extension. 2. When to submit to Federal vs. State authority. 3. Procedures for owners of more than 1 source.	Yes.
§ 63.10(b)(1) .....	Recordkeeping/Reporting .....	1. General Requirements .....	Yes.
§ 63.10(b)(2)(i)–(v) .....	Records related to Startup, Shutdown, and Malfunction.	2. Keep all records readily available. ... 3. Keep for 5 years .....	Yes.
§ 63.10(b)(2)(i)–(v) .....	Records related to Startup, Shutdown, and Malfunction.	1. Occurrence of each of operation (process equipment). 2. Occurrence of each malfunction of air pollution equipment. 3. Maintenance on air pollution control equipment. 4. Actions during startup, shutdown, and malfunction.	Yes.
§ 63.10(b)(2)(vi) and (x-xi).	CMS Records .....	1. Malfunctions, inoperative, out-of-control. 2. Calibration checks .....	Yes.
§ 63.10(b)(2)(vii)–(ix)	Records .....	3. Adjustments, maintenance .....	Yes.
§ 63.10(b)(2)(vii)–(ix)	Records .....	1. Measurements to demonstrate compliance with emission limitations. 2. Performance test, performance evaluation, and visible emission observation results. 3. Measurements to determine conditions of performance tests and performance evaluations.	Yes.
§ 63.10(b)(2)(xii) .....	Records .....	Records when under waiver .....	Yes.
§ 63.10(b)(2)(xiii) .....	Records .....	Records when using alternative to relative accuracy test.	Yes.

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Citation	Subject	Brief description	Applies to subpart LLLLL
§ 63.10(b)(2)(xiv) .....	Records .....	All documentation supporting Initial Notification and Notification of Compliance Status.	Yes.
§ 63.10(b)(3) .....	Records .....	Applicability determinations .....	Yes.
§ 63.10(c)(1)–(6), (9)–(15).	Records .....	Additional records for CMS .....	No; § 63.8694 specifies the CMS recordkeeping requirements.
§ 63.10(c)(7)–(8) .....	Records .....	Records of excess emissions and parameter monitoring exceedances for CMS.	No; § 63.8694 specifies the CMS recordkeeping requirements.
§ 63.10(d)(1) .....	General Reporting Requirements .....	Requirement to report .....	Yes.
§ 63.10(d)(2) .....	Report of Performance Test Results ...	When to submit to Federal or State authority.	Yes.
§ 63.10(d)(3) .....	Reporting Opacity or VE Observations	What to report and when .....	Yes.
§ 63.10(d)(4) .....	Progress Reports .....	Must submit progress reports on schedule if under compliance extension.	Yes.
§ 63.10(d)(5) .....	Startup, Shutdown, and Malfunction Reports.	Contents and submission .....	Yes.
§ 63.10(e)(1), (2) .....	Additional CMS Reports .....	1. Must report results for each CEM on a unit. 2. Written copy of performance evaluation. 3. Three copies of COMS performance evaluation.	Yes.
§ 63.10(e)(3) .....	Reports .....	Excess emission reports .....	No; § 63.8693 specifies the reporting requirements.
§ 63.10(e)(3)(i)–(iii) ...	Reports .....	Schedule for reporting excess emissions and parameter monitor exceedances (now defined as deviations).	No; § 63.8693 specifies the reporting requirements.
§ 63.10(e)(3)(iv)–(v) ...	Excess Emissions Reports .....	1. Requirement to revert to the frequency specified in the relevant standard if there is an excess emissions and parameter monitor exceedances (now defined as deviations). 2. Provision to request semiannual reporting after compliance for one year. 3. Submit report by 30th day following end of quarter or calendar half. 4. If there has not been an exceedance or excess emission (now defined as deviations), report content is a statement that there have been no deviations.	No; § 63.8693 specifies the reporting requirements.
§ 63.10(e)(3)(iv)–(v) ...	Excess Emissions Reports .....	Must submit report containing all of the information in § 63.10(c)(5)(13), § 63.8(c)(7)–(8).	No; § 63.8693 specifies the reporting requirements.
§ 63.10(e)(3)(vi)–(viii)	Excess Emissions Report and Summary Report.	1. Requirements for reporting excess emissions for CMS (now called deviations). 2. Requires all of the information in § 63.10(c)(5)(13), § 63.8(c)(7)–(8).	No; § 63.8693 specifies the reporting requirements.
§ 63.10(e)(4) .....	Reporting COMS data .....	Must submit COMS data with performance test data.	Yes, if COMS used.
§ 63.10(f) .....	Waiver for Recordkeeping/Reporting ...	Procedures for Administrator to waive	Yes.
§ 63.11 .....	Flares .....	Requirements for flares .....	Yes.
§ 63.12 .....	Delegation .....	State authority to enforce standards ...	Yes.
§ 63.13 .....	Addresses .....	Addresses where reports, notifications, and requests are sent.	Yes.
§ 63.14 .....	Incorporation by Reference .....	Test methods incorporated by reference.	Yes.
§ 63.15 .....	Availability of Information .....	Public and confidential information .....	Yes.

## Environmental Protection Agency

## § 63.8784

[68 FR 24577, May 7, 2003, as amended at 71 FR 20469, Apr. 20, 2006]

### Subpart M—National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations

SOURCE: 68 FR 18070, Apr. 14, 2003, unless otherwise noted.

#### WHAT THIS SUBPART COVERS

#### § 63.8780 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) emitted from flexible polyurethane foam fabrication operations. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission standards.

#### § 63.8782 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate a flexible polyurethane foam fabrication plant site that operates a flame lamination affected source, as defined at § 63.8784(b)(2), and that is located at, or is part of a major emission source of hazardous air pollutants (HAP) or that operates a loop slitter affected source, as defined at § 63.8784(b)(1), that meets the criteria in paragraphs (a)(1) and (2) of this section.

(1) The loop slitter affected source uses one or more HAP-based adhesives at any time on or after April 14, 2003.

(2) The loop slitter affected source is located at or is part of a major source of HAP.

(b) A flexible polyurethane foam fabrication plant site is a plant site where pieces of flexible polyurethane foam are bonded together or to other substrates using HAP-based adhesives or flame lamination.

(c) A major source of HAP is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons or more per year or any combination of HAP at a rate of 25 tons or more per year.

(d) This subpart does not apply to the following processes in paragraphs (d)(1) and (2) of this section:

(1) Processes that produce flexible polyurethane or rebond foam as defined in subpart III of this part.

(2) A research and development facility, as defined in section 112(c)(7) of the Clean Air Act (CAA).

#### § 63.8784 What parts of my plant does this subpart cover?

(a) This subpart applies to each existing, new, or reconstructed affected source at facilities engaged in flexible polyurethane foam fabrication.

(b) The affected sources are defined in this section in paragraphs (b)(1) and (2) of this section.

(1) The loop slitter adhesive use affected source is the collection of all loop slitters and associated adhesive application equipment used to apply HAP-based adhesives to bond foam to foam at a flexible polyurethane foam fabrication plant site.

(2) The flame lamination affected source is the collection of all flame lamination lines associated with the flame lamination of foam to any substrate at a flexible polyurethane foam fabrication plant site.

(c)(1) A new affected source is one that commences construction after August 8, 2001 and meets the applicability criteria of § 63.8782 at the time construction commences.

(2) If you add one or more flame lamination lines at a plant site where flame lamination lines already exist, the added line(s) shall be a new affected source and meet new source requirements if the added line(s) has the potential to emit 10 tons per year or more of any HAP or 25 tons or more per year of any combination of HAP.

(d) A reconstructed affected source is one that commences reconstruction after August 8, 2001 and meets the criteria for reconstruction as defined in § 63.2.

(e) For each new or reconstructed flame lamination affected source, you must develop a written startup, shutdown, and malfunction plan according to the provisions in § 63.6(e)(3).

[68 FR 18070, Apr. 14, 2003, as amended at 71 FR 20470, Apr. 20, 2006]