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FEDERAL ENVIRONMENTAL NOTIFICATION & REPORTING REQUIREMENTS HANDBOOK

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Prepared by

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Chapter 1. The Clean Air Act

Purpose and Organization

On November 15, 1990, President Bush signed into law sweeping revisions of the *Clean Air Act* (CAA). The new law contains titles that:

- strengthen measures for attaining air quality standards (Title I),
- expand the regulation of hazardous air pollutants (Title II),
- require substantial reductions in power plant emissions for control of acid rain (Title IV),
- establish operating permits for all major sources of air pollution (Title V),
- establish provisions for stratospheric ozone protection (Title VI), and
- expand enforcement powers and penalties (Title VII).

The CAA Amendments will have far-reaching effects not only on environmental activities at DOE facilities, but also on procurement, maintenance, and motor vehicle operation activities.

National Ambient Air Quality Standards

The original 1970 CAA authorized the Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS) to limit levels of pollutants in the air. EPA has promulgated NAAQS for six critical pollutants: sulfur dioxide (SO_2), nitrogen dioxide (NO_2), carbon monoxide (CO), ozone, lead, and particulate matter (PM-10). All areas of the U.S. must maintain ambient levels of these pollutants below the ceilings established by the NAAQS: any area that does not meet these standards is a "nonattainment" area (NAA). The 1990 Amendments require that the boundaries of serious, severe, or extreme ozone or CO nonattainment areas located within Metropolitan Statistical Areas (MSAs) or Consolidated Metropolitan Statistical Areas (CMSAs) be expanded to include the entire MSA or CMSA unless the governor makes certain findings and the Administrator of the EPA concurs. Consequently, all urban counties included in an affected MSA or CMSA, regardless of their attainment status, will become part of the NAA.

Under previous law "major" sources were those with the potential to emit over 100 tons per year (TPY). The CAA Amendments reduced the size of plants subject to permitting and stringent retrofitting or offsetting requirements:

- In *serious* ozone NAAs major sources include those with the potential to emit over 50 TPY of volatile organic compounds (VOCs). In *severe* ozone NAAs major sources include those that emit 25 TPY or, in *extreme* areas, 10 TPY.
- For serious CO NAAs, a major source is not one that emits 50 TPY.
- For serious PM-10 NAAs, a major source is now one that emits 70 TPY.

New Source Performance Standards

The New Source Performance Standards (NSPS) set minimum nationwide emission limitations for classes of facilities. The NSPS are set at levels that reflect the degree of control achievable through the application of the best system of continuous emission reduction that has been adequately demonstrated for that category of sources. The NSPS must take into consideration the cost of achieving such emissions reductions and any non-air quality health and environmental impacts and energy requirements. The facility classes of most interest to DOE are those applicable to fossil-fuel-fired steam generators for which construction was begun after August 17, 1971 (40 CFR Part 60, Subpart D), and electric utility steam generating units for which construction was begun after September 18, 1978 (40 CFR Part 60, Subpart Da).

Hazardous Air Pollutants

The National Emissions Standards for Hazardous Air Pollutants (NESHAPs) aim to control pollutants that may reasonably be anticipated to result in either an increase in mortality or an increase in serious irreversible or incapaciting, but reversible, illness. Since 1970 EPA has

listed only eight hazardous air pollutants and has established standards for only seven of them. The 1990 Amendments directed EPA to establish technology-based standards for 189 hazardous substances based on the use of "maximum achievable control technology" (MACT). MACT emission standards for existing sources may not be less stringent than the average emission limitation achieved by the best performing 12% of existing sources in a similar source category or subcategory. (*Note:* Neither the phrase "Maximum Achievable Control Technology" or the acronym MACT appears in the 1990 CAA Amendments. EPA, however, continues to refer to the new technology based hazardous air pollutant standards as MACT.) The amendments also authorized EPA to establish a program for the prevention of accidental releases. Owners or operators of stationary sources must prepare and implement risk management plans, which include hazardous assessments and release prevention and response programs. The plans must be registered with EPA and the new Chemical Safety and Hazard Investigation Board created by the Amendments.

Acid Rain Control

Title IV of the CAA Amendments described a new market-based system that will result in a permanent 10 million ton reduction in SO_2 emissions from 1980 levels. Under this system, power plants receive "emission allowances" that will require plants to reduce their emissions or acquire allowances from others to achieve compliance. A number of provisions in Title IV pertain to clean coal technology demonstration projects sponsored by DOE.

Permits

Title V of the CAA Amendments established a federal permitting program, similar to the *Clean Water Act* permitting program, which is to be administered by the states. Title V declared that after the effective date of any approved or promulgated permit program, it will be unlawful to operate a major source, affected source, or any other source (including an area source) subject to regulation under the CAA unless the source complies with all air quality requirements and has an operating permit. Under previous federal law, construction permits were required only for new sources: existing sources were left largely unpermitted, unless the state elected to require an operating permit. The CAA Amendments eliminated the distinction between new and existing sources: all major sources are now required to have an operating permit. The new permit program will be fee-base,d and federal facilities are explicitly required to pay a fee or charge imposed by a state or local agency to defray the costs of its air pollution regulatory program. The statute sets minimum rates for such fees at $25 per ton of each regulated pollutant, up to 4,000 TPY. The EPA Administrator may set other amounts to adequately reflect reasonable costs of the permit program.

The following sources must have a permit to operate.

- major Hazardous Air Pollutant (HAP) sources,
- major sources under NAAQS,
- all affected sources under Title IV, and
- all sources subject to NSPS.

Provisions Relating to Enforcement

On July 21, 1992, EPA promulgated a rule (57 *FR* 32250) that defined the minimum elements of a state operating permit program. This rule applies directly to the states, but ultimately to sources.

Provisions Relating to Enforcement

The CAA Amendments allow the Administrator to impose administrative penalties of up to $25,000/day for the violation of any requirement, prohibition, permit, rule, or order (up to a maximum penalty of $200,000 in most instances). Also, government officials investigating a facility can, while on site, in effect write tickets imposing penalties of up to $5,000/day for each violation. Citizens also can seek civil penalties in citizen's suits.

In addition, the CAA Amendments create new criminal sanctions for negligent (as opposed to "knowing") violations and establish administrative penalty mechanisms to complement the traditional civil (i.e., judicial) enforcement program. Fines and prison sentences can now be imposed upon any person who negligently releases any hazardous air pollutant covered under the NESHAPs or included on the Superfund list of extremely hazardous substances but not listed under the NESHAPs. Sanctions to enforce violations include fines for individuals of up to $250,000 and imprisonment up to five years, with each day counting as a separate violation. Fines for corporations may be up to $500,000 for each violation. Fines for knowing endangerment can

climb to $1 million per day for businesses and up to $250,000 per day and 15 years imprisonment.

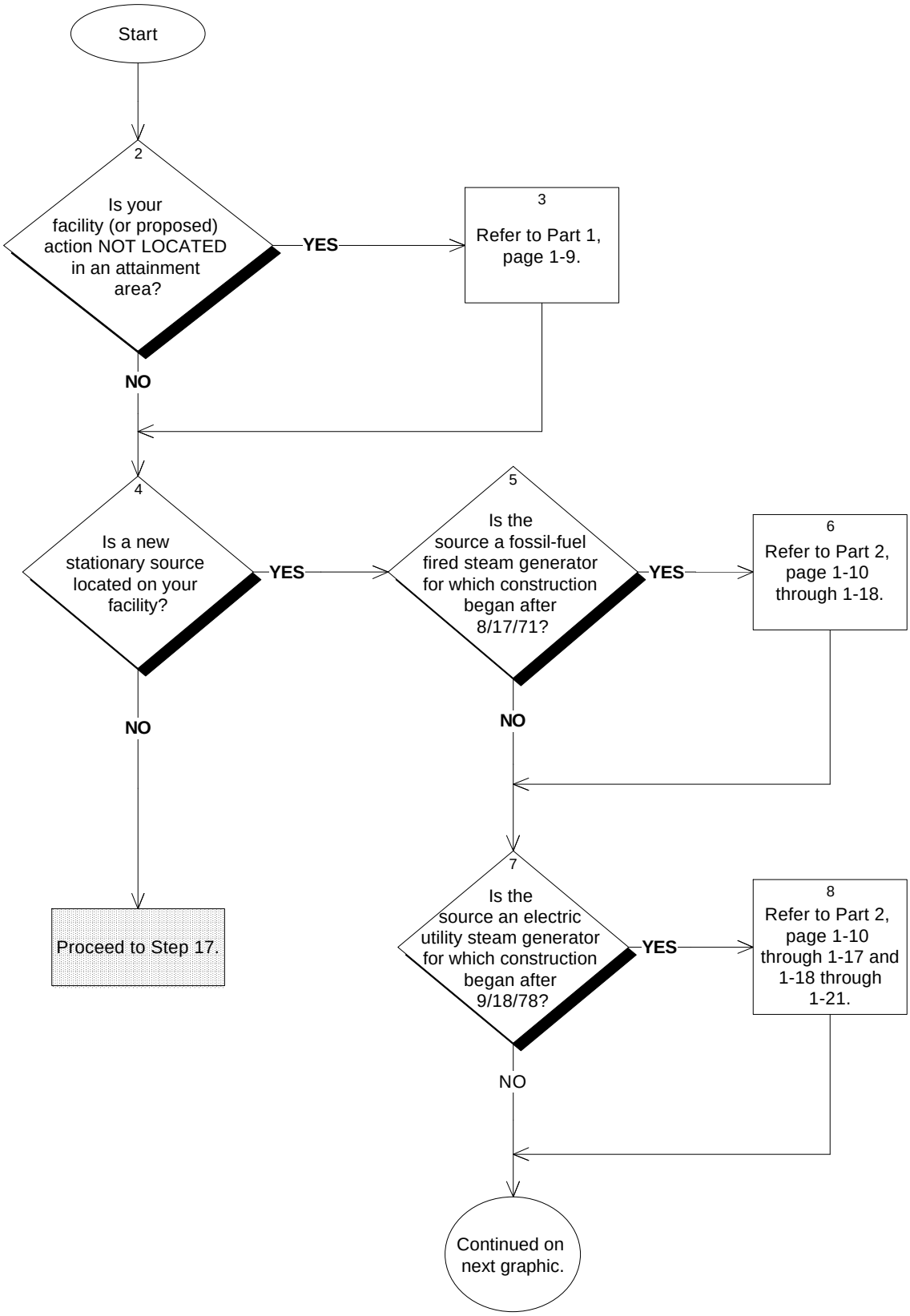
Notification and Reporting Requirements

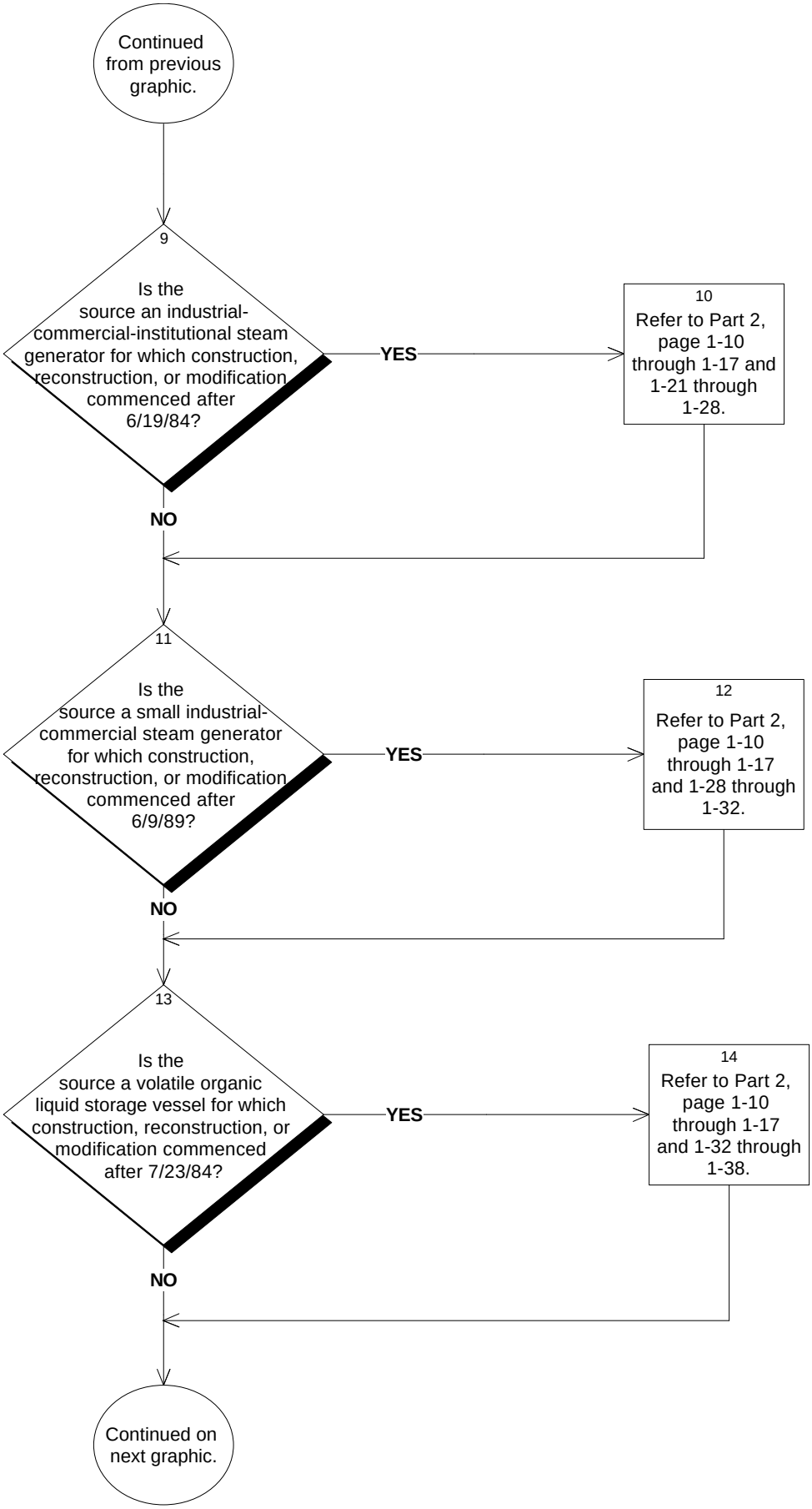
Reporting requirements under the CAA include the following:

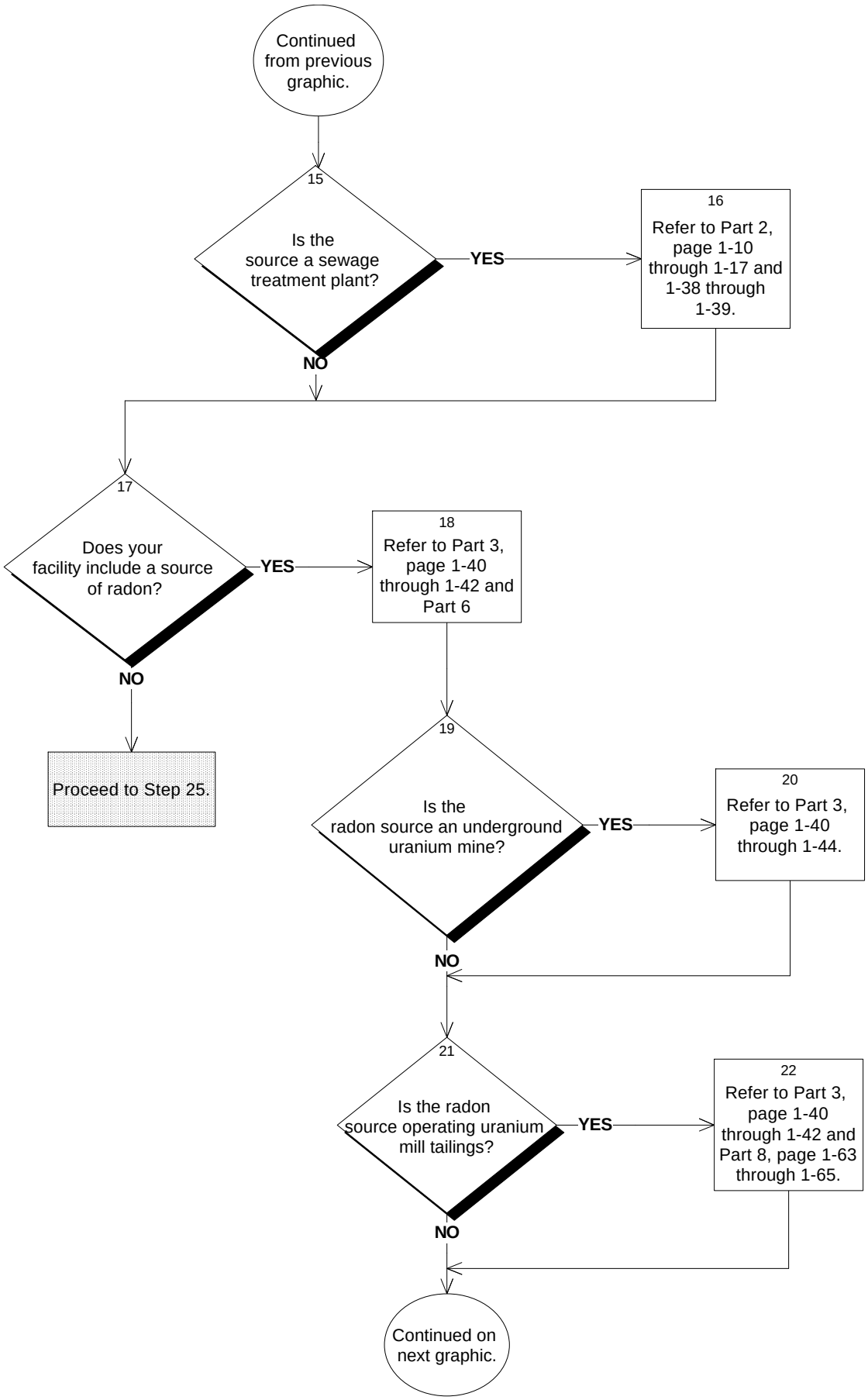
- reporting by owners and operators of new stationary sources or changes to existing stationary sources subject to the NAAQS;
- reporting by owners or operators of existing or new sources subject to NESHAPs; and
- NESHAPs compliance reporting by owners or operators of:
  - underground uranium mines,
  - DOE facilities releasing radionuclides other than radon,
  - DOE facilities releasing radon, and
  - facilities with fugitive emission sources of hazardous air pollutants from equipment leaks.

Figure 1 guides the user to the various CAA reporting requirements conveyed in this chapter that are relevant to a DOE facility or situation.

Figure 1: Clean Air Act




Continued from previous graphic.
9
Is the source an industrial-commercial-institutional steam generator for which construction, reconstruction, or modification commenced after 6/19/84?
YES
10
Refer to Part 2, page 1-10 through 1-17 and 1-21 through 1-28.
NO
11
Is the source a small industrial-commercial steam generator for which construction, reconstruction, or modification commenced after 6/9/89?
YES
12
Refer to Part 2, page 1-10 through 1-17 and 1-28 through 1-32.
NO
13
Is the source a volatile organic liquid storage vessel for which construction, reconstruction, or modification commenced after 7/23/84?
YES
14
Refer to Part 2, page 1-10 through 1-17 and 1-32 through 1-38.
NO
Continued on next graphic.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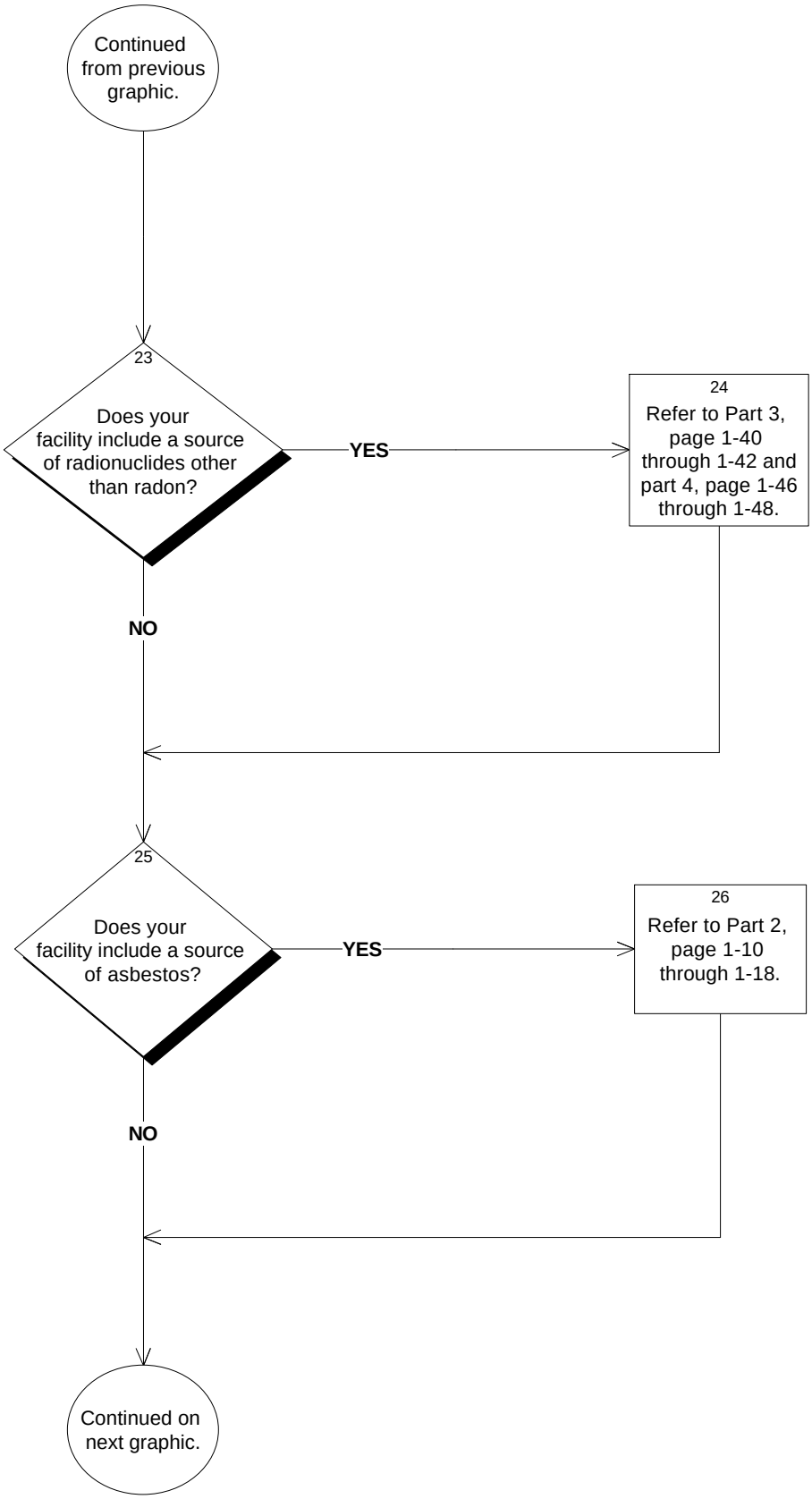
15
Is the source a sewage treatment plant?
YES
16
Refer to Part 2, page 1-10 through 1-17 and 1-38 through 1-39.
NO
17
Does your facility include a source of radon?
YES
18
Refer to Part 3, page 1-40 through 1-42 and Part 6
NO
Proceed to Step 25.
19
Is the radon source an underground uranium mine?
YES
20
Refer to Part 3, page 1-40 through 1-44.
NO
21
Is the radon source operating uranium mill tailings?
YES
22
Refer to Part 3, page 1-40 through 1-42 and Part 8, page 1-63 through 1-65.
NO
Continued on next graphic.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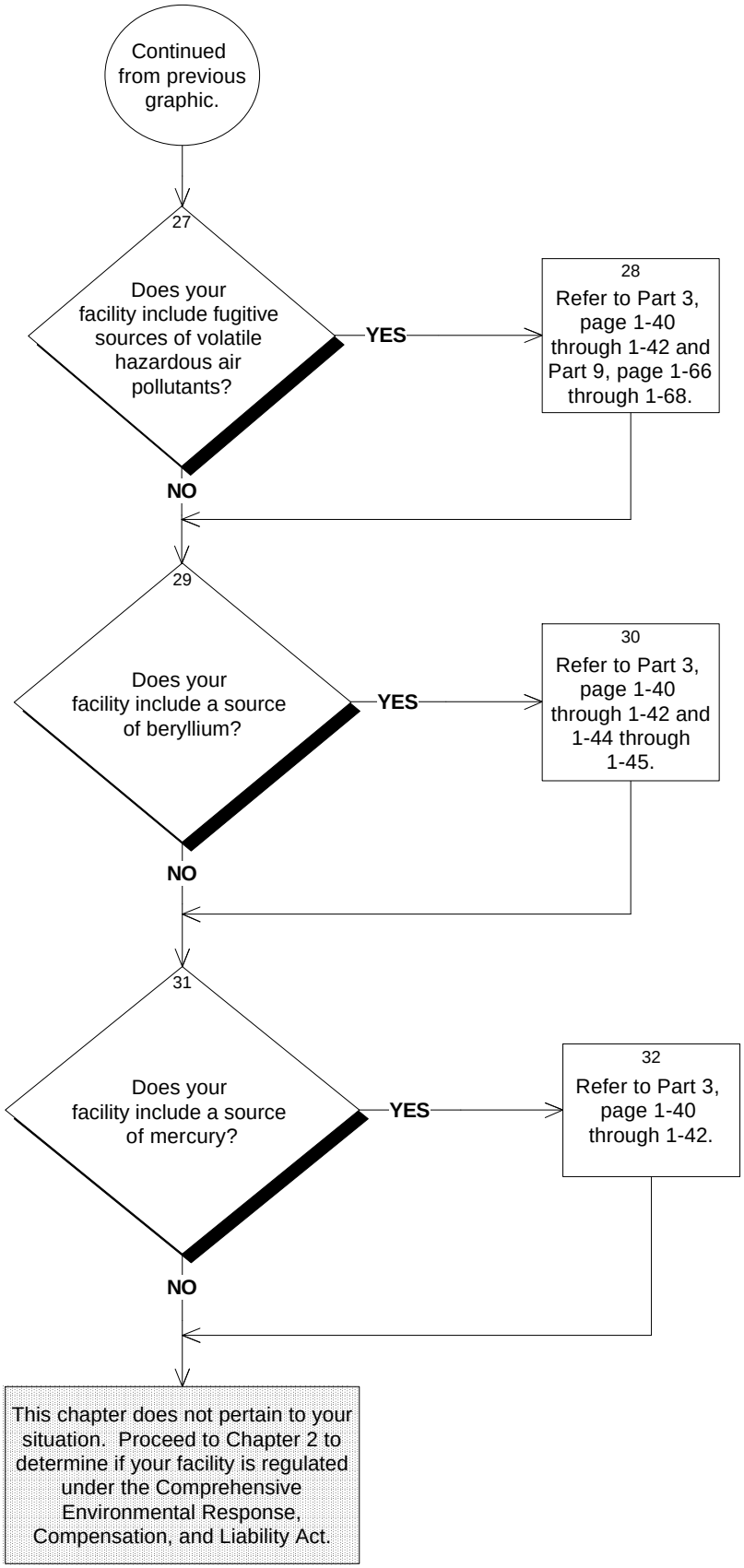
23
Does your facility include a source of radionuclides other than radon?
YES
24
Refer to Part 3, page 1-40 through 1-42 and part 4, page 1-46 through 1-48.
NO
25
Does your facility include a source of asbestos?
YES
26
Refer to Part 2, page 1-10 through 1-18.
NO
Continued on next graphic.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27
Does your facility include fugitive sources of volatile hazardous air pollutants?
YES
28
Refer to Part 3, page 1-40 through 1-42 and Part 9, page 1-66 through 1-68.
NO
29
Does your facility include a source of beryllium?
YES
30
Refer to Part 3, page 1-40 through 1-42 and 1-44 through 1-45.
NO
31
Does your facility include a source of mercury?
YES
32
Refer to Part 3, page 1-40 through 1-42.
NO
This chapter does not pertain to your situation. Proceed to Chapter 2 to determine if your facility is regulated under the Comprehensive Environmental Response, Compensation, and Liability Act.

Table 1
Clean Air Act

Part 1. Requirements for Preparation, Adoption, and Submittal of Implementation Plans

Authorizations
Clean Air Act, Section 110

References
40 CFR 51.853

Applicability

(h) In addition to meeting the criteria for establishing exemptions set forth in paragraphs (g)(1) or (g)(2) of this section, the following procedures must also be complied with to presume that activities will conform {with the applicable State Implementation Plan}:

(1) The Federal agency must identify through publication in the Federal Register its list of proposed activities that are presumed to conform and the basis for the presumptions.

(2) The Federal agency must notify the appropriate EPA Regional Office(s), State and local air quality agencies and, where applicable, the agency designated under Section 174 of the Clean Air Act (CAA) and the Metropolitan Planning Organization (MPO), and provide at least 30 days for the public to comment on the list of proposed activities presumed to conform.

References
40 CFR 51.855

Reporting Requirements

(a) A Federal agency making a conformity determination under 40 CFR 51.858 must provide to the appropriate EPA Regional Office(s), State and local air quality agencies and, where applicable, affected Federal land managers, the agency designated under Section 174 of the CAA, and the MPO a 30-day notice which describes the proposed action and the Federal agency's draft conformity determination on the action.

(b) A Federal agency must notify the appropriate EPA Regional Office(s), State and local air quality agencies and, where applicable, affected Federal land managers, the agency designated under Section 174 of the CAA, and the MPO within 30 days after making a final conformity determination under 40 CFR 51.858.

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources

Authorizations
Clean Air Act, Section 111

References
40 CFR 60.7

General Provisions - Notification and Recordkeeping

(a) Any owner or operator subject to the provisions of 40 CFR Part 60 shall furnish the Administrator written notification as follows:

(1) A notification of the date construction (or reconstruction as defined under 40 CFR 60.15, see Section D, Reconstruction) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

(2) A notification of the anticipated date of initial startup of an affected facility postmarked not more than 60 days nor less than 30 days prior to such date.

(3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.1 4(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change.

(5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with 40 CFR 60.1 3(c). Notification shall be postmarked not less than 30 days prior to such date.

(6) A notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1). The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

(7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by 40 CFR 60.8 in lieu of Method 9 observation data as allowed by 40 CFR 60.11(e)(5). This notification shall be postmarked not less than 30 days prior to the date of the performance test.

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources (con't.)

References
40 CFR 60.7 (con't.)

(b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) Each owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is required by an applicable subpart; or the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter as appropriate). Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

☞ 40 CFR 60.13(h)
Owners or operators of all continuous monitoring systems (CMSs) for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages. Six minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period. For continuous monitoring systems other than opacity, 1-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O2 or ng/J of pollutant). All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in subparts.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility, the nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources (con't.)

References
40 CFR 60.7 (con't.)

(3) The date and time identifying each period during which the continuous monitoring system (CMS) was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s)have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

(d) The summary report shall contain the information and be in the format shown in Figure 1 {of 40 CFR 60.7(d)} unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emissions report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator.

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emissions report described in 40 CFR 60.7(c) shall both be submitted.

References
40 CFR 60.11

General Provisions - Compliance with Standards and Maintenance Requirements

(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(e) (1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR 60.8 unless one of the following conditions apply. If no performance test under 40 CFR 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the

Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.11 (con't.)	maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under 40 CFR 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in 40 CFR 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under 40 CFR 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Reference Method 9 of Appendix B, 40 CFR Part 60. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification I in Appendix B of 40 CFR Part 60, has been properly maintained, and (at the time of the alleged violation) that the resulting data have not been altered in any way. (2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with paragraph (b) of 40 CFR 60.11, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under 40 CFR 60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test. (3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an

Part 2. Standards of Performance for New Stationary Sources (con't.)

References
40 CFR 60.11 (con't.)

affected facility shall be included in the notification required in 40 CFR 60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.

(4) An owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by 40 CFR 60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and 40 CFR 60.8 performance test results.

(5) An owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data produced during any performance test required under 40 CFR 60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under 40 CFR 60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under 40 CFR 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under 40 CFR 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under 40 CFR 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in 40 CFR 60.1 3(c) of this part, that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine opacity compliance.

References
40 CFR 60.13

General Provisions - Monitoring Requirements

(c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under 40 CFR 60.11(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification I, Appendix B, of 40 CFR Part 60 before the performance test required under 40 CFR 60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a

Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.13 (con't.)	performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under 40 CFR 60.8 or within 30 days thereafter in accordance with the applicable performance specification in Appendix B of 40 CFR Part 60. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under Section 114 of the Act. (1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under 40 CFR 60.8 and as described in 40 CFR 60.11(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in paragraph (c) of this section at least 10 days before the performance test required under 40 CFR 60.8 is conducted. (2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation. (g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system. (j) An alternative to the relative accuracy test specified in Performance Specification 2 of Appendix B may be requested as follows: (1) An alternative to the reference method tests for determining relative accuracy is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the relative accuracy test in Section 7 of Performance Specification 2 and substitute the procedures in Section 10 if the results of a performance test conducted according to the requirements in 40 CFR

Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.13 (con'd.)	60.8 of this subpart or other tests performed following the criteria in 40 CFR 60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the relative accuracy test and substitute the procedures in Section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the relative accuracy test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative {relative accuracy} (RA) materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the continuous emission monitoring system (CEMS) data (e.g., data collection purposes other than a New Source Performance Standard (NSPS)) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS). (2) The waiver of a CEMS relative accuracy test will be reviewed and may be rescinded at such time following successful completion of the alternative RA procedure that the CEMS data indicate the source emissions {are} approaching the level of the applicable standard. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven consecutive averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven consecutive averaging periods as specified by the applicable regulation(s) [e.g., 40 CFR 60.45(g)(2) and (3), 40 CFR 60.73(e), and 40 CFR 60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of relative accuracy testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in Section 7 of Performance Specification 2.

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources (con't.)

<u>References</u> 40 CFR 60.15	**General Provisions - Reconstruction** (d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information: (1) Name and address of the owner or operator. (2) The location of the existing facility. (3) A brief description of the existing facility and the components which are to be replaced. (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment. (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility. (6) The estimated life of the existing facility after the replacements. (7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.
<u>References</u> 40 CFR 60.45	**For Fossil Fuel Fired Steam Generators for Which Construction Commenced After August 17, 1971 - Emission and Fuel Monitoring** (g) Excess emission and monitoring system performance (MSP) reports shall be submitted to the Administrator for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter. Each excess emission and MSP report shall include the information required in 40 CFR 60.7(c). Periods of excess emissions and monitoring system downtime that shall be reported are defined as follows:

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.45 (con't.)	(1) Opacity. Excess emissions are defined as any six-minute period during which the average opacity of emissions exceeds 20 percent opacity, except that one six-minute average per hour of up to 27 percent opacity need not be reported. (2) Sulfur dioxide. Excess emissions for affected facilities are defined as: (i) Any three-hour period during which the average emissions (arithmetic average of three contiguous one-hour periods) of sulfur dioxide as measured by a continuous monitoring system exceed the applicable standard under 40 CFR 60.43. (3) Nitrogen oxides. Excess emissions for affected facilities using a continuous monitoring system for measuring nitrogen oxides are defined as any three-hour period during which the average emissions (arithmetic average of three contiguous one-hour periods) exceed the applicable standards under 40 CFR 60.44.
References 40 CFR 60.49a	**For Electric Utility Steam Generating Units for Which Construction Commenced After September 18, 1978 - Reporting Requirements** (a) For sulfur dioxide, nitrogen oxides, and particulate matter emissions, the performance test data from the initial performance test and from the performance evaluation of the continuous monitors (including the transmissometer) are submitted to the Administrator. (b) For sulfur dioxide and nitrogen oxides the following information is reported to the Administrator for each 24-hour period. (1) Calendar date. (2) The average sulfur dioxide and nitrogen oxide emission rates (ng/J or lb/million Btu) for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the emission standards; and description of corrective actions taken. (3) Percent reduction of the potential combustion concentration of sulfur dioxide for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the standard; and description of corrective actions taken.

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.49a (con't.)	(4) Identification of the boiler operating days for which pollutant or diluent data have not been obtained by an approved method for at least 18 hours of operation of the facility; justification for not obtaining sufficient data; and description of corrective actions taken. (5) Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, malfunction (NO_x only), emergency conditions (SO_2 only), or other reasons, and justification for excluding data for reasons other than startup, shutdown, malfunction, or emergency conditions. (6) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted. (7) Identification of times when hourly averages have been obtained based on manual sampling methods. (8) Identification of the times when the pollutant concentration exceeded full span of the continuous monitoring system. (9) Description of any modifications to the continuous monitoring system which could affect the ability of the continuous monitoring system to comply with Performance Specifications 2 or 3. (c) If the minimum quantity of emission data as required by 40 CFR 60.47a is not obtained for any 30 successive boiler operating days, the following information obtained under the requirements of 40 CFR 60.46a(h) is reported to the Administrator for that 30-day period: (1) The number of hourly averages available for outlet emission rates (no) and inlet emission rates (ni) as applicable. (2) The standard deviation of hourly averages for outlet emission rates (so) and inlet emission rates as applicable. (3) The lower confidence limit for the mean outlet emission rate (Eo*) and the upper confidence limit for the mean inlet emission rate (Ei*) as applicable. (4) The applicable potential combustion concentration. (5) The ratio of the upper confidence limit for the mean outlet emission rate (Eo*) and the allowable emission rate (Estd) as applicable.

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.49a (con't.)	(d) If any standards under 40 CFR 60.43a are exceeded during emergency conditions because of control system malfunction, the owner or operator of the affected facility shall submit a signed statement: (1) Indicating if emergency conditions existed and requirements under 40 CFR 60.46a(d) were met during each period, and (2) Listing the following information: (i) Time periods the emergency condition existed; (ii) Electrical output and demand on the owner or operator's electric utility system and the affected facility; (iii) Amount of power purchased from interconnected neighboring utility companies during the emergency period; (iv) Percent reduction in emissions achieved; (v) Atmospheric emission rate (ng/J) of the pollutant discharged; and (vi) Actions taken to correct control system malfunction. (e) If fuel pretreatment credit toward the sulfur dioxide emission standard under 40 CFR 60.43a is claimed, the owner or operator of the affected facility shall submit a signed statement: (1) Indicating what percentage cleaning credit was taken for the calendar quarter, and whether the credit was determined in accordance with the provisions of 40 CFR 60.48a and Method 19 (Appendix A); and (2) Listing the quantity, heat content, and date each pretreated fuel shipment was received during the previous quarter; the name and location of the fuel pretreatment facility; and the total quantity and total heat content of all fuels received at the affected facility during the previous quarter.

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.49a (con't.)	(f) For any periods for which opacity, sulfur dioxide or nitrogen oxides emissions data are not available, the owner or operator of the affected facility shall submit a signed statement indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability. (g) The owner or operator of the affected facility shall submit a signed statement indicating whether: (1) The required continuous monitoring system calibration, span, and drift checks or other periodic audits have or have not been performed as specified, (2) The data used to show compliance was or was not obtained in accordance with approved methods and procedures of this part and is representative of plant performance, (3) The minimum data requirements have or have not been met, or the minimum data requirements have not been met for errors that were unavoidable, {and} (4) Compliance with the standards has or has not been achieved during the reporting period. (h) For the purposes of the reports required under 40 CFR 60.7, periods of excess emissions are defined as all 6-minute periods during which the average opacity exceeds the applicable opacity standards under 40 CFR 60.42a(b). Opacity levels in excess of the applicable opacity standard and the date of such excesses are to be submitted to the Administrator each calendar quarter.
References 40 CFR 60.40b	**For Industrial-Commercial-Institutional Steam Generating Units for Which Construction, Modification, or Reconstruction Commenced After June 19, 1984 - Applicability and Delegation of Authority** (a) The affected facility to which this subpart applies is each steam generating unit that has a heat input capacity from fuels combusted in the steam generating unit of greater than 29 MW (100 million Btu/hour).

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Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.49b	**For Industrial-Commercial-Institutional Steam Generating Units for Which Construction, Modification, or Reconstruction Commenced After June 19, 1984 - Reporting and Recordkeeping Requirements** (a) The owner or operator of each affected facility shall submit notification of the date of initial startup, as provided by 40 CFR 60.7. This notification shall include: (1) The design heat input capacity of the affected facility and identification of the fuels to be combusted in the affected facility, (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42b(d)(1), 60.43b(a)(2), (a)(3)(iii), (c)(2)(ii), (d)(2)(iii), 60.44b(c), (d), (e), (i), (j), (k), 60.45b(d), (g), 60.46b(h), or 60.48b(i), (3) The annual capacity factor at which the owner or operator anticipates operating the facility based on all fuels fired and based on each individual fuel fired, and (4) Notification that an emerging technology will be used for controlling emissions of sulfur dioxide. The Administrator will examine the description of the emerging technology and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of 40 CFR 60.42b(a) unless and until this determination is made by the Administrator. (b) The owner or operator of each affected facility subject to the sulfur dioxide, particulate matter, and/or nitrogen oxides emission limits under 40 CFR 60.42b, 60.43b, and 60.44b shall submit to the Administrator the performance test data from the initial performance test and the performance evaluation of the CEMS using the applicable performance specifications in Appendix B. The owner or operator of each affected facility described in 40 CFR 60.44b(j) or 40 CFR 60.44b(k) shall submit to the Administrator the maximum heat input capacity data from the demonstration of the maximum heat input capacity of the affected facility. (c) The owner or operator of each affected facility subject to the nitrogen oxides standard of 40 CFR 60.44b who seeks to demonstrate compliance with those standards through the monitoring of steam generating unit operating conditions under the provisions of 40 CFR 60.48b(g)(2) shall submit to the Administrator for approval a plan that identifies the operating

Part 2. Standards of Performance for New Stationary Sources (con't.)

References	
40 CFR 60.49b (con't.)	conditions to be monitored under 40 CFR 60.48b(g)(2) and the records to be maintained under 40 CFR 60.49b(j). This plan shall be submitted to the Administrator for approval within 360 days of the initial startup of the affected facility. (1) The plan shall identify the specific operating conditions to be monitored and the relationship between these operating conditions and nitrogen oxides emission rates (i.e., ng/J or lbs/million Btu heat input). Steam generating unit operating conditions include, but are not limited to, the degree of staged combustion (i.e., the ratio of primary air to secondary and/or tertiary air) and the level of excess air (i.e., flue gas oxygen level). (2) The plan shall include the data and information that the owner or operator used to identify the relationship between nitrogen oxides emission rates and these operating conditions. (3) The plan shall identify how these operating conditions, including steam generating unit load, will be monitored under 40 CFR 60.48b(g) on an hourly basis by the owner or operator during the period of operation of the affected facility; the quality assurance procedures or practices that will be employed to ensure that the data generated by monitoring these operating conditions will be representative and accurate; and the type and format of the records of these operating conditions, including steam generating unit load, that will be maintained by the owner or operator under 40 CFR 60.49b(j). If the plan is approved, the owner or operator shall maintain records of predicted nitrogen oxide emission rates and the monitored operating conditions, including steam generating unit load, identified in the plan. (h) The owner or operator of any affected facility in any category listed in paragraphs (h)(1) or (2) of this section is required to submit excess emission reports for any calendar quarter during which there are excess emissions from the affected facility. If there are no excess emissions during the calendar quarter, the owner or operator shall submit a report semiannually stating that no excess emissions occurred during the semiannual reporting period. (1) Any affected facility subject to the opacity standards under 40 CFR 60.43b(e) or to the operating parameter monitoring requirements under 40 CFR 60.13(i)(1). (2) Any affected facility that is subject to the nitrogen oxides standard of 40 CFR 6Q.44h, and that: (i) Combusts natural gas, distillate oil, or residual oil with a nitrogen content of 0.3 weight percent or less, or

Part 2. Standards of Performance for New Stationary Sources (con't.)

References
40 CFR 60.49b (con't.)

(ii) Has a heat input capacity of 73 MW (250 million Btu/hour) or less and is required to monitor nitrogen oxides emissions on a continuous basis under 40 CFR 60.48b(g)(1) or steam generating unit operating conditions under 40 CFR 60.48b(g)(2).

(3) For the purpose of 40 CFR 60.43b, excess emissions are defined as all 6-minute periods during which the average opacity exceeds the opacity standards under 40 CFR 60.43b(f).

(4) For purposes of 40 CFR 60.48b(g)(1), excess emissions are defined as any calculated 30-day rolling average nitrogen oxides emission rate, as determined under 40 CFR 60.46b(e), which exceeds the applicable emission limits in 40 CFR 60.44b.

(i) The owner or operator of any affected facility subject to the continuous monitoring requirements for nitrogen oxides under 40 CFR 60.48(b) shall submit a quarterly report containing the information recorded under paragraph (g) of 49 CFR 60.49b. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter.

(j) The owner or operator of any affected facility subject to the sulfur dioxide standards under 40 CFR 60.42b shall submit written reports to the Administrator for every calendar quarter. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter.

(k) For each affected facility subject to the compliance and performance testing requirements of 40 CFR 60.45b and the reporting requirement in paragraph (j) of this section, the following information shall be reported to the Administrator:

(1) Calendar dates covered in the reporting period.

(2) Each 30-day average sulfur dioxide emission rate (ng/J or lb/million Btu heat input) measured during the reporting period, ending with the last 30-day period in the quarter; reasons for noncompliance with the emission standards; and a description of corrective actions taken.

(3) Each 30-day average percent reduction in sulfur dioxide emissions calculated during the reporting period, ending with the last 30-day period in the quarter; reasons for noncompliance with the emission standards; and a description of corrective actions taken.

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Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.49b (con't.)	(4) Identification of the steam generating unit operating days that coal or oil was combusted and for which sulfur dioxide or diluent (oxygen or carbon dioxide) data have not been obtained by an approved method for at least 75 percent of the operating hours in the steam generating unit operating day; justification for not obtaining sufficient data; and description of corrective action taken. (5) Identification of the times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and description of corrective action taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit. (6) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted. (7) Identification of times when hourly averages have been obtained based on manual sampling methods. (8) Identification of the times when the pollutant concentration exceeded full span of the CEMS. (9) Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3. (10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under Appendix F of 40 CFR Part 60, Procedure 1. (11) The annual capacity factor of each {fuel} fired as provided under paragraph (d) of 40 CFR 60.49b. (l) For each affected facility subject to the compliance and performance testing requirements of 40 CFR 60.45b(d) and the reporting requirements of paragraph (j) of this section, the following information shall be reported to the Administrator: (1) Calendar dates when the facility was in operation during the reporting period; (2) The 24 hour average sulfur dioxide emission rate measured for each steam generating unit operating day during the reporting period that coal or oil was combusted, ending in the last 24-hour period in the quarter; reasons for noncompliance with the emission standards; and a description of corrective actions taken;

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Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.49b (con't.)	(3) Identification of the steam generating unit operating days that coal or oil was combusted for which sulfur dioxide or diluent (oxygen or carbon dioxide) data have not been obtained by an approved method for at least 75 percent of the operating hours; justification for not obtaining sufficient data; and description of corrective action taken. (4) Identification of the times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and description of corrective action taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit. (5) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted. (6) Identification of times when hourly averages have been obtained based on manual sampling methods. (7) Identification of the times when the pollutant concentration exceeded full span of the CEM5. (8) Description of any modifications to the Performance Specification 2 or 3. (9) Results of daily CEMS drift tests and quarterly accuracy assessments as required under Appendix F, Procedure 1. (m) For each affected facility subject to the sulfur dioxide standards under 40 CFR 60.42b for which the minimum amount of data required under 40 CFR 60.47b(f) were not obtained during a calendar quarter, the following information is reported to the Administrator in addition to that required under paragraph (k) of this section: (1) The number of hourly averages available for outlet emission rates and inlet emission rates. (2) The standard deviation of hourly averages for outlet emission rates and inlet emission rates, as determined in Method 19, Appendix A, of CFR Part 60, Section 7. (3) The lower confidence limit for the mean outlet emission rate and the upper confidence limit for the mean inlet emission rate, as calculated in Method 19, Section 7. (4) The ratio of the lower confidence limit for the mean outlet emission rate and the allowable emission rate, as determined in Method 19, Section 7.

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Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.49b (con't.)	(n) If a percent removal efficiency by fuel pretreatment (i.e., % Rf) is used to determine the overall percent reduction (i.e., % Ro) under 40 CFR 60.45b, the owner or operator of the affected facility shall submit a signed statement with the quarterly report: (1) Indicating what removal efficiency by fuel pretreatment (i.e., % Rf) was credited for the calendar quarter; (2) Listing the quantity, heat content, and date each pretreated fuel shipment was received during the previous calendar quarter; the name and location of the fuel pretreatment facility; and the total quantity and total heat content of all fuels received at the affected facility during the previous calendar quarter; (3) Documenting the transport of the fuel from the fuel pretreatment facility to the steam generating unit; and (4) Including a signed statement from the owner or operator of the fuel pretreatment facility certifying that the percent removal efficiency achieved by fuel pretreatment was determined in accordance with the provisions of Method 19 (Appendix A) and listing the heat content and sulfur content of each fuel before and after fuel pretreatment. (p) The owner or operator of an affected facility described in 40 CFR 60.44b(j) or (k) shall maintain records of the following information for each steam generating unit operating day: (1) Calendar date. (2) The number of hours of operation. (3) A record of the hourly steam load. (q) The owner or operator of an affected facility described in 40 CFR 60.44(j) or 40 CFR 60.44b(k) shall submit to the Administrator on a quarterly basis: (1) The annual capacity factor over the previous 12 months, (2) The average fuel nitrogen content during the quarter, if residual oil was fired, and

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Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.49b (con't.)	(3) If the affected facility meets the criteria described in 40 CFR 60.44b(j), the results of any nitrogen oxides emission tests required during the quarter, the hours of operation during the quarter, and the hours of operation since the last nitrogen oxides emission test. (r) The owner or operator of an affected facility who elects to demonstrate that the affected facility combusts only very low sulfur oil under 40 CFR 60.42b(j)(2) shall obtain and maintain at the affected facility fuel receipts from the fuel supplier which certify that the oil meets the definition of distillate oil as defined in 40 CFR 60.41b. For the purposes of this section, the oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Quarterly reports shall be submitted to the Administrator certifying that only very low sulfur oil meeting this definition was combusted in the affected facility during the preceding quarter.
References 40 CFR 60.40c	**For Small Industrial-Commercial-Institutional Steam Generating Units for Which Construction, Modification, or Reconstruction Commenced After June 9, 1989 - Applicability and Delegation of Authority** (a) The affected facility to which this subpart applies is each steam generating unit that has a maximum design heat input capacity of 29 megawatts (MW) (100 million Btu per hour (Btu/hr)) or less, but greater than or equal to 2.9 MW (10 million Btu/hr).
References 40 CFR 60.48c	**For Small Industrial-Commercial-Institutional Steam Generating Units for Which Construction, Modification, or Reconstruction Commenced After June 9, 1989 - Reporting and Recordkeeping Requirements** (a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by 40 CFR 60.7. This notification shall include: (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility. (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c or 40 CFR 60.43c. (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

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Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.48c (con't.)	(4) Notification if an emerging technology will be used for controlling SO_2 emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of 40 CFR 60.42c(a) or (b)(1), unless and until this determination is made by the Administrator. (b) The owner or operator of each affected facility subject to the SO_2 emission limits of 40 CFR 60.42c, or the particulate matter (PM) or opacity limits of 40 CFR 60.43c, shall submit to the Administrator the performance test data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS using the applicable performance specifications in Appendix B of 40 CFR Part 60. (c) The owner or operator of each coal-fired, residual oil-fired, or wood-fired affected facility subject to the opacity limits under 40 CFR 60.43c(c) shall submit excess emission reports for any calendar quarter for which there are excess emissions from the affected facility. If there are no excess emissions during the calendar quarter, the owner or operator shall submit a report semiannually stating that no excess emissions occurred during the semiannual reporting period. The initial quarterly report shall be postmarked by the 30th day of the third month following the completion of the initial performance test, unless no excess emissions occur during that quarter. The initial semiannual report shall be postmarked by the 30th day of the sixth month following the completion of the initial performance test, or following the date of the previous quarterly report, as applicable. Each subsequent quarterly or semiannual report shall be postmarked by the 30th day following the end of the reporting period. (d) The owner or operator of each affected facility subject to the SO_2 emission limits, fuel oil sulfur limits, or percent reduction requirements under 40 CFR 60.42c shall submit quarterly reports to the Administrator. The initial quarterly report shall be postmarked by the 30th day of the third month following the completion of the initial performance test. Each subsequent quarterly report shall be postmarked by the 30th day following the end of the reporting period. (e) The owner or operator of each affected facility subject to the SO_2 emission limits, fuel oil sulfur limits, or percent reduction requirements under 40 CFR 60.43c shall keep records and submit quarterly reports as required under paragraph (d) of this section, including the following information, as applicable. (1) Calendar dates covered in the reporting period.

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Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.48c (con't.)	(2) Each 30-day average SO_2 emission rate (ng/J or lb/million Btu), or 30-day average sulfur content (weight percent), calculated during the reporting period, ending with the last 30-day period in the quarter; reasons for any noncompliance with the emission standards; and a description of corrective actions taken. (3) Each 30-day average percent of potential SO_2 emission rate calculated during the reporting period, ending with the last 30-day period in the quarter; reasons for any noncompliance with the emission standards; and a description of corrective actions taken. (4) Identification of any steam generating unit operating days for which SO_2 or diluent (oxygen or carbon dioxide) data have not been obtained by an approved method for at least 75 percent of the operating hours; justification for not obtaining sufficient data; and a description of corrective actions taken. (5) Identification of any times when emissions data have been excluded from the calculation of average emission rates; justification for excluding data; and a description of corrective actions taken if data have been excluded for periods other than those during which coal or oil were not combusted in the steam generating unit. (6) Identification of the F factor used in calculations, method of determination, and type of fuel combusted. (7) Identification of whether averages have been obtained based on CEMS rather than manual sampling methods. (8) If a CEMS is used, identification of any times when the pollutant concentration exceeded the full span of the CEMS. (9) If a CEMS is used, description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specifications 2 or 3 (Appendix B of 40 CFR Part 60). (10) If a CEMS is used, results of daily CEMS drift tests and quarterly accuracy assessments as required under Appendix F of 40 CFR Part 60, Procedure 1. (11) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph (f)(1), (2), or (3) of this section, as applicable. In addition to records of fuel supplier certifications,

Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.48c (con't.)	the quarterly report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the quarter. (f) Fuel supplier certification shall include the following information: (1) For distillate oil: (i) The name of the oil supplier. (ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c. (2) For residual oil: (i) The name of the oil supplier. (ii) The location of the oil when the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility, or other location. (iii) The sulfur content of the oil from which the shipment came (or of the shipment itself). (iv) The method used to determine the sulfur content of the oil. (3) For coal: (i) The name of the coal supplier. (ii) The location of the coal when the sample was collected for analysis to determine the properties of the coal, specifically including whether the coal was sampled as delivered to the affected facility or whether the sample was collected from coal in storage at the mine, at a coal preparation plant, at a coal supplier's

References
40 CFR 60.48c (con't.)

facility, or at another location. The certification shall include the name of the coal mine (and coal seam), coal storage facility, or coal preparation plant (where the sample was collected).

(iii) The results of the analysis of the coal from which the shipment came (or of the shipment itself) including the sulfur content, moisture content, ash content, and heat content.

(iv) The methods used to determine the properties of the coal.

References
40 CFR 60.113b

For Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984 - Testing and Procedures

The owner or operator of each storage vessel as specified in 40 CFR 60.112b(a) shall meet the requirements of paragraph (a), (b), or (c) of this section. The applicable paragraph for a particular storage vessel depends on the control equipment installed to meet the requirements of 40 CFR 60.112b.

(a) After installing the control equipment required to meet 40 CFR 60.112b(a)(1) (permanently affixed roof and internal floating roof), each owner or operator shall:

(1) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service) prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

(2) For vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in 40 CFR 60.115b(a)(3). Such a request for an extension must

Table 1
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References 40 CFR 60.113b (con't.)	document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible. (3) For vessels equipped with a double-seal system as specified in 40 CFR 60.112b(a)(1)(ii)(B): (i) Visually inspect the vessel as specified in paragraph (a)(4) of this section at least every 5 years; or (ii) Visually inspect the vessel as specified in paragraph (a)(2) of this section. (4) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in paragraphs (a)(2) and (a)(3)(ii) of this section and at intervals no greater than 5 years in the case of vessels specified in paragraph (a)(3)(i) of this section. (5) Notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by paragraphs (a)(1) and (a)(4) of this section to afford the Administrator the opportunity to have an observer present. If the inspection required by paragraph (a)(4) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling. (b) After installing the control equipment required to meet 40 CFR 60.112b(a)(2) (external floating roof), the owner or operator shall:

Table 1
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Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.113b (con't.)	(5) Notify the Administrator 30 days in advance of any gap measurements required by paragraph (b)(1) of this section to afford the Administrator the opportunity to have an observer present. (6) Visually inspect the external floating roof, the primary seal, secondary seal, and fittings each time the vessel is emptied and degassed. (i) If the external floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before filling or refilling the storage vessel with VOL. (ii) For all the inspections required by paragraph (b)(6) of this section, the owner or operator shall notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel to afford the Administrator the opportunity to inspect the storage vessel prior to refilling. If the inspection required by paragraph (b)(6) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling. (c) The owner or operator of each source that is equipped with a closed vent system and control device as required in 40 CFR 60.112b(a)(3) or (b)(2) (other than a flare) is exempt from 40 CFR 60.8 of the General Provisions and shall meet the following requirements. (1) Submit for approval by the Administrator as an attachment to the notification required by 40 CFR 60.7(a)(1) or, if the facility is exempt from 40 CFR 60.7(a)(1), as an attachment to the notification required by 40 CFR 60.7(a)(2), an operating plan containing the information listed below. (i) Documentation demonstrating that the control device will achieve the required control efficiency during maximum loading conditions. This documentation is to include a description of the gas stream which enters the control device, including flow and VOC content under varying liquid level conditions (dynamic and

References
40 CFR 60.113b (con't.)

static) and manufacturer's design specifications for the control device. If the control device or the closed vent capture system receives vapors, gases, or liquids other than fuels from sources that are not designated sources under this subpart, the efficiency demonstration is to include consideration of all vapors, gases, and liquids received by the closed vent capture system and control device. If an enclosed combustion device with a minimum residence time of 0.75 seconds and a minimum temperature of 816 °C is used to meet the 95 percent requirement, documentation that those conditions will exist is sufficient to meet the requirements of this paragraph.

(ii) A description of the parameter or parameters to be monitored to ensure that the control device will be operated in conformance with its design and an explanation of the criteria used for selection of that parameter (or parameters).

References
40 CFR 60.113b

For Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984 - Reporting and Recordkeeping Requirements

The owner or operator of each storage vessel as specified in 40 CFR 60.112b(a) shall keep records and furnish reports as required by paragraphs (a), (b), or (c) of this section depending upon the control equipment installed to meet the requirements of 40 CFR 60.112b. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by (c)(1), for at least 2 years. The record required by (c)(1) will be kept for the life of the control equipment.

(a) After installing control equipment in accordance with 40 CFR 60.112b(a)(1) (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of 40 CFR 60.112b(a)(1) and 40 CFR 60.113b(a)(1). This report shall be an attachment to the notification required by 40 CFR 60.7(a)(3).

(2) Keep a record of each inspection performed as required by 40 CFR 60.113b(a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources (con't.)

References 40 CFR 60.113b (con't.)	(3) If any of the conditions described in 40 CFR 60.113b(a)(2) are detected during the annual visual inspection required by 40 CFR 60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made. (4) After each inspection required by 40 CFR 60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in 40 CFR 60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of 40 CFR 61.112b(a)(1) or 40 CFR 60.113b(a)(3) and list each repair made. (b) After installing control equipment in accordance with 40 CFR 61.112b(a)(2) (external floating roof), the owner or operator shall meet the following requirements. (1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of 40 CFR 60.112b(a)(2) and 40 CFR 60.113b(b)(2), (b)(3), and (b)(4). This report shall be an attachment to the notification required by 40 CFR 60.7(a)(3). (2) Within 60 days of performing the seal gap measurements required by 40 CFR 60.113b(b)(1), furnish the Administrator with a report that contains: (i) The date of measurement. (ii) The raw data obtained in the measurement. (iii) The calculations described in 40 CFR 60.113b (b)(2) and (b)(3). (3) Keep a record of each gap measurement performed as required by 40 CFR 60.113b(b). Each record shall identify the storage vessel in which the measurement was performed and shall contain: (i) The date of measurement.

References
40 CFR 60.113b (con't.)

(ii) The raw data obtained in the measurement.

(iii) The calculations described in 40 CFR 60.113b(b)(2) and (b)(3).

(4) After each seal gap measurement that detects gaps exceeding the limitations specified by 40 CFR 60.113b(b)(4), submit a report to the Administrator within 30 days of the inspection. The report will identify the vessel and contain the information specified in paragraph (b)(2) of this section and the date the vessel was emptied or the repairs made and date of repair.

(c) After installing control equipment in accordance with 40 CFR 60.112b(a)(3) or (b)(1) (closed vent system and control device other than a flare), the owner or operator shall keep the following records:

(1) A copy of the operating plan.

(2) A record of the measured values of the parameters monitored in accordance with 40 CFR 60.113b(c)(2).

(d) After installing a closed vent system and flare to comply with 40 CFR 60.112b, the owner or operator shall meet the following requirements:

(1) A report containing the measurements required by 40 CFR 60.18(f)(1), (2), (3), (4), (5), and (6) shall be furnished to the Administrator as required by 40 CFR 60.8 of the General Provisions. This report shall be submitted within 6 months of the initial start-up date.

(2) Records shall be kept of all periods of operation during which the flare pilot flame is absent.

(3) Semiannual reports of all periods recorded under 40 CFR 60.115b(d)(2) in which the pilot flame was absent shall be furnished to the Administrator.

Table 1
Clean Air Act

Part 2. Standards of Performance for New Stationary Sources (con't.)

References
40 CFR 60.116b

For Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984 - Monitoring of Operations

(d) Except as provided in paragraph (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m^3 storing a liquid with a maximum true vapor pressure that is normally less than 5.2 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 storing a liquid with a maximum true vapor pressure that is normally less than 27.6 kPa shall notify the Administrator within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values for each volume range.

References
40 CFR 60.150

For Sewage Treatment Plants - Applicability and Designation of Affected Facility

(a) The affected facility is each incinerator that combusts wastes containing more than 10 percent sewage sludge (dry basis) produced by municipal sewage treatment plants, or each incinerator that charges more than 1000 kg (2205 lb) per day municipal sewage sludge (dry basis).

(b) Any facility under paragraph (a) of this section that commences construction or modification after June 11, 1973, is subject to the requirements of this subpart.

References
40 CFR 60.155

For Sewage Treatment Plants - Reporting

(a) The owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator subject to the provisions of this subpart shall submit to the Administrator semi-annually a report in writing which contains the following:

(1) A record of average scrubber pressure drop measurements for each period of 15 minutes duration or more during which the pressure drop of the scrubber was less than, by a percentage specified below, the average scrubber pressure drop measured during the most recent performance test. The percent reduction in scrubber pressure drop for which a report is required shall be determined as follows:

(i) For incinerators that achieved an average particulate matter emission rate of 0.38 kg/Mg (0.75 lb/ton) dry sludge input or less during the most recent performance test, a scrubber pressure drop reduction of more than 30 percent from the average scrubber pressure drop recorded during the most recent performance test shall be reported.

Part 2. Standards of Performance for New Stationary Sources (con't.)

References
40 CFR 60.155 (con't.)

(ii) For incinerators that achieved an average particulate matter emission rate of greater than 0.38 kg/Mg (0.75 lb/ton) dry sludge input during the most recent performance test, a percent reduction in pressure drop greater than that calculated according to the following equation shall be reported: P=-111E+72.15 where P=Percent reduction in pressure drop, and E=Average particulate matter emissions (kg/megagram)

(2) A record of average oxygen content in the incinerator exhaust gas for each period of l-hour duration or more that the oxygen content of the incinerator exhaust gas exceeds the average oxygen content measured during the most recent performance test by more than 3 percent.

(b) The owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator from which the average particulate matter emission rate measured during the performance test required under 40 CFR 60.154(d) exceeds 0.38 g/kg of dry sludge input (0.75 lb/ton of dry sludge input) shall include in the report for each calendar day that a decrease in scrubber pressure drop or increase in oxygen content of exhaust gas is reported a record of the following:

(1) Scrubber pressure drop averaged over each 1-hour incinerator operating period.

(2) Oxygen content in the incinerator exhaust averaged over each 1-hour incinerator operating period.

(3) Temperatures of every hearth in multiple hearth incinerators; of the bed and outlet of fluidized bed incinerators; and of the drying, combustion, and cooling zones of electric incinerators averaged over each 1-hour incinerator operating period.

(4) Rate of sludge charged to the incinerator averaged over each 1-hour incinerator operating period.

(5) Incinerator fuel use averaged over each 8-hour incinerator operating period.

(6) Moisture and volatile solids content of the daily grab sample of sludge charged to the incinerator.

(c) The owner or operator of any sludge incinerator other than a multiple hearth, fluidized bed, or electric incinerator or any sludge incinerator equipped with a control device other than a wet scrubber shall include in the semi-annual report a record of control device operation measurements, as specified in the plan approved under 40 CFR 60.153(e).

Table 1
Clean Air Act

Part 3. National Emission Standards for Hazardous Air Pollutants (NESHAPs) - Source Reporting and Waiver Request

Authorizations
Clean Air Act, Section 112

References
40 CFR 61.09

General Provisions - Notification of Startup

(a) The owner or operator of each stationary source which has an initial startup after the effective date of a standard shall furnish the Administrator with written notification as follows:

(1) A notification of the anticipated date of initial startup of the source not more than 60 days nor less than 30 days before that date, and

(2) A notification of the actual date of initial startup of the source within 15 days after that date.

(b) If any State or local agency requires a notice which contains all the information required in the notification in paragraph (a) of this section, sending the Administrator a copy of that notification will satisfy paragraph (a) of this section.

References
40 CFR 61.10

General Provisions - Source Reporting and Waiver Request

(a) The owner or operator of each existing source or each new source which had an initial startup before the effective date shall provide the following information in writing to the Administrator within 90 days after the effective date:

(1) Name and address of the owner or operator.

(2) The location of the source.

(3) The type of hazardous pollutants emitted by the stationary source.

(4) A brief description of the nature, size, design, and method of operation of the stationary source including the operating design capacity of the source. Identify each point of emission for each hazardous pollutant.

(5) The average weight per month of the hazardous materials being processed by the source, over the last 12 months preceding the date of the report.

(6) A description of the existing control equipment for each emission point including:

Table 1
Clean Air Act

Part 3. National Emission Standards for Hazardous Air Pollutants - Source Reporting and Waiver Request (con't.)

References 40 CFR 61.10 (con't.)	(i) Each control device for each hazardous pollutant; and (ii) Estimated control efficiency (percent) for each control device. (7) A statement by the owner or operator of the source as to whether the source can comply with the standards within 90 days after the effective date. (b) The owner or operator of an existing source unable to comply with an applicable standard may request a waiver of compliance with that standard for a period not exceeding 2 years after the effective date. Any request shall be in writing and shall include the following information: (1) A description of the controls to be installed to comply with the standard. (2) A compliance schedule, including the date each step toward compliance will be reached. The list shall include as a minimum the following dates: (i) Date by which contracts for emission control systems or process changes for emission control will be awarded, or date by which orders will be issued for the purchase of component parts to accomplish emission control or process changes. (ii) Date of initiation of onsite construction or installation of emission control equipment or process change. (iii) Date by which onsite construction or installation of emission control equipment or process change is to be completed. (iv) Date by which final compliance is to be achieved. (3) A description of interim emission control steps which will be taken during the waiver period. (c) Any change in the information provided under paragraph (a) of this section or 40 CFR 61.07(b) shall be provided to the Administrator within 30 days after the change. However, if any change will result from modification of the source, 40 CFR 61.07(c) and 61.08 apply.

Table 1
Clean Air Act

Part 3. National Emission Standards for Hazardous Air Pollutants - Source Reporting and Waiver Request (con't.)

References
40 CFR 61.10 (con't.)

(d) A possible format for reporting under this section is included as Appendix A of 40 CFR Part 61. Advice on reporting the status of compliance may be obtained from the Administrator.

References
40 CFR 61.20

For Radon Emissions from Underground Uranium Mines - Designation of Facilities

The provisions of this subpart are applicable to the owner or operator of an active underground uranium mine which:

(a) Has mined, will mine, or is designed to mine over 100,000 tons of ore during the life of the mine; or

(b) Has had or will have an annual ore production rate greater than 10,000 tons, unless it can be demonstrated to EPA that the mine will not exceed total ore production of 100,000 tons during the life of the mine.

References
40 CFR 61.24

For Radon Emissions from Underground Uranium Mines - Annual Reporting Requirements

(a) The mine owner or operator shall annually calculate and report the results of the compliance calculations in 40 CFR 61.23 and the input parameters used in making the calculation. Such report shall cover the emissions of a calendar year and shall be sent to EPA by March 31 of the following year. Each report shall also include the following information:

(1) The name and location of the mine.

(2) The name of the person responsible for the operation of the facility and the name of the person preparing the report (if different).

(3) The results of the emissions testing conducted and the dose calculated using the procedures in 40 CFR 61.23.

(4) A list of the stacks or vents or other points where radioactive materials are released to the atmosphere, including their location, diameter, flow rate, effluent temperature, and release height.

(5) A description of the effluent controls that are used on each stack, vent, or other release point and the effluent controls used inside the mine, and an estimate of the efficiency of each control method or device.

Part 3. National Emission Standards for Hazardous Air Pollutants - Source Reporting and Waiver Request (con't.)

References
40 CFR 61.24 (con't.)

(6) Distances from the points of release to the nearest residence, school, business, or office and the nearest farms producing vegetables, milk, and meat.

(7) The values used for all other user-supplied input parameters for the computer models (e.g., meteorological data) and the source of those data.

(8) Each report shall be signed and dated by a corporate officer in charge of the facility and contain the following declaration immediately above the signature line: "I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment. See, 18 U.S.C. 1001."

(b) If the facility is not in compliance with the emission standard of 40 CFR 61.22 in the calendar year covered by the report, the facility must then commence reporting to the Administrator on a monthly basis the information listed in paragraph (a) of this section for the preceding month. These reports will start the month immediately following the submittal of the annual report for the year in noncompliance and will be due 30 days following the end of each month. This increased level of reporting will continue until the Administrator has determined that the monthly reports are no longer necessary. In addition to all the information required in paragraph (a) of this section, monthly reports shall also include the following information:

(1) All controls or other changes in operation of the facility that will be or are being installed to bring the facility into compliance.

(2) If the facility is under a judicial or administrative enforcement decree, the report will describe the facility performance under the terms of the decree.

(c) The first report will cover the emissions of calendar year 1990.

☞ 40 CFR 61.22
Emissions of radon-222 to the ambient air from an underground uranium mine shall not exceed those amounts that would cause any member of the public to receive in any year an effective dose equivalent of 10 mrem/y.

Part 3. National Emission Standards for Hazardous Air Pollutants - Source Reporting and Waiver Request (con't.)

References
40 CFR 61.24 (con't.)

- 40 CFR 61.23a(a)
  Compliance with the emission standard in this subpart shall be determined and the effective dose equivalent calculated by the EPA computer code COMPLY-R. An underground uranium mine owner or operator shall calculate the source terms to be used for input into COMPLY-R by conducting testing in accordance with the procedures described in Appendix B of 40 CFR Part 61, Method 115, or

- 40 CFR 61.23b(b)
  Owners or operators may demonstrate compliance with the emission standard in this subpart through the use of computer models that are equivalent to COMPLY-R provided that the model has received prior approval from EPA headquarters. EPA may approve a model in whole or in part and may limit its use to specific circumstances.

References
40 CFR 61.26

For Radon Emissions from Underground Uranium Mines - Exemption from the Reporting and Testing Requirements

All facilities designated under this subpart are exempt from the reporting requirements of 40 CFR 61.10.

References
40 CFR 61.33

For Beryllium - Stack Sampling

(b) The Administrator shall be notified at least 30 days prior to an emission test so that he may at his option observe the test.

(c) Samples shall be taken over such a period or periods as are necessary to accurately determine the maximum emissions which will occur in any 24-hour period. Where emissions depend upon the relative frequency of operation of different types of processes, operating hours, operating capacities, or other factors, the calculation of maximum 24-hour-period emissions will be based on that combination of factors which is likely to occur during the subject period and which result in the maximum emissions. No changes in the operation shall be made, which would potentially increase emissions above that determined by the most recent source test, until a new emission level has been estimated by calculation and the results reported to the Administrator.

(d) All samples shall be analyzed and beryllium emissions shall be determined within 30 days after the source test. All determinations shall be reported to the Administrator by a registered letter dispatched before the close of the next business day following such determination.

Table 1
Clean Air Act

Part 3. National Emission Standards for Hazardous Air Pollutants - Source Reporting and Waiver Request (con't.)

References 40 CFR 61.34	**For Beryllium - Air Sampling** (d) Concentrations measured at all sampling sites shall be reported to the Administrator every 30 days by a registered letter.

Table 1
Clean Air Act

Part 4. Emissions of Radionuclides Other than Radon from DOE Facilities

Authorizations
Clean Air Act, Section 118

References
40 CFR 61.94

Compliance and Reporting

(a) Compliance with this standard shall be determined by calculating the highest effective dose equivalent to any member of the public at any offsite point where there is a residence, school, business, or office. The owners or operators of each facility shall submit an annual report to both EPA headquarters and the appropriate regional office by June 30 which includes the results of the monitoring as recorded in DOE's Effluent Information System and the dose calculations required by 40 CFR 61.93(a) for the previous calendar year.

(b) In addition to the requirements of paragraph (a) of this section, an annual report shall include the following information:

(1) Name and location of the facility.

(2) A list of the radioactive materials used at the facility.

(3) A description of the handling and processing that the radioactive materials undergo at the facility.

(4) A list of the stacks or vents or other points where radioactive materials are released to the atmosphere.

(5) A description of the effluent controls that are used on each stack, vent, or other release point and an estimate of the efficiency of each control device.

(6) Distances from points of release to the nearest residence, school, business, or office and the nearest farms producing vegetables, milk, and meat.

(7) The values used for all other user-supplied input parameters for the computer models (e.g., meteorological data) and the source of those data.

(8) A brief description of all construction and modifications which were completed in the calendar year for which the report is prepared, but for which the requirement to apply for approval to construct or modify was waived under 40 CFR 61.96 and associated documentation developed by DOE to support the waiver. EPA reserves the right to require that DOE send to EPA all the information that normally would be required in an application to construct or modify, following receipt of the description and supporting documentation.

Table 1
Clean Air Act

Part 4. Emissions of Radionuclides Other than Radon from DOE Facilities (con't)

References
40 CFR 61.94 (con't.)

(c) If the facility is not in compliance with the emission limits of 40 CFR 61.92 in the calendar year covered by the report, then the facility must commence reporting to the Administrator on a monthly basis the information listed in paragraph (b) of this section, for the preceding month. These reports will start the month immediately following the submittal of the annual report for the year in noncompliance and will be due 30 days following the end of the month. This increased level of reporting will continue until the Administrator has determined that the monthly reports are no longer necessary. In addition to all the information required in paragraph (b) of this section, monthly reports shall also include the following information:

(1) All controls or other changes in operation of the facility that will be or are being installed to bring the facility into compliance.

(2) If the facility is under a judicial or administrative enforcement decree, the report will describe the facility's performance under the terms of the decree.

(d) In those instances where the information requested is classified, such information will be made available to EPA separate from the report and will be handled and controlled according to applicable security and classification regulations and requirements.

References
40 CFR 61.96

Applications to Construct or Modify

(a) In addition to any activity that is defined as construction under 40 CFR Part 61, Subpart A, any fabrication, erection or installation of a new building or structure within a facility that emits radionuclides is also defined as new construction for purposes of 40 CFR Part 61, Subpart A.

(b) An application for approval under 40 CFR 61.07 or notification of startup under 40 CFR 61.09 does not need to be filed for any new construction of or modification within an existing facility if the effective dose equivalent, caused by all emissions from the new construction or modification, is less than 1% of the standard prescribed in 40 CFR 61.92. For purposes of this paragraph the effective dose equivalent shall be calculated using the source term derived using Appendix D as input to the dispersion and other computer models described in 40 CFR 61.93. DOE may, with prior approval from EPA, use another procedure for estimating the source term for use in this paragraph. A facility is eligible for this exemption only if, based on its last annual report, the facility is in compliance with this subpart.

Table 1
Clean Air Act

Part 4. Emissions of Radionuclides Other than Radon from DOE Facilities (con't)

References 40 CFR 61.96 (con't.)	(c) Conditions to approvals granted under 40 CFR 61.08 will not contain requirements for post approval reporting on operating conditions beyond those specified in 40 CFR 61.94.

Table 1
Clean Air Act

Part 5. NESHAPs For Asbestos

Authorizations
Clean Air Act, Section 112

References
40 CFR 61.145

Standard for Demolition and Renovation

(a) Applicability. To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable {asbestos containing materials} (ACM). The requirements of paragraphs (b) and (c) of this section apply to each owner or operator of a demolition or renovation activity, including the removal of Regulated Asbestos Containing Material (RACM) as follows:

(1) In a facility being demolished, all the requirements of paragraphs (b) and (c) of this section apply, except as provided in paragraph (a)(3) of this section, if the combined amount of RACM is:

(i) At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components, or

(ii) At least I cubic meter (35 cubic feet) of facility components where the length or area could not be measured previously.

(2) In a facility being demolished, only the notification requirements of paragraphs (b)(1), (2), (3)(i) and (iv), and (4)(i) through (vii) and (4)(ix) and (xvi) of this section apply, if the combined amount of RACM is:

(i) Less than 80 linear meters (260 linear feet) on pipes and less than 15 square meters (160 square feet) on other facility components, and

(ii) Less than one cubic meter (35 cubic feet) of facility components where the length or area could not be measured previously or there is no asbestos.

(3) If the facility is being demolished under an order of a State or local government agency, issued because the facility is structurally unsound and in danger of imminent collapse, only the requirements of paragraphs (b)(1), (b)(2), (b)(3)(iii), (b)(4) (except (b)(4)(viii)), (b)(5), and (c)(4) through (c)(9) of this section apply.

Table 1
Clean Air Act

Part 5. NESHAPs For Asbestos (con't.)

References 40 CFR 61.145 (con't.)	(4) In a facility being renovated, including any individual nonscheduled renovation operation, all the requirements of paragraphs (b) and (c) of this section apply if the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is: (i) At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components, or (ii) At least 1 cubic meter (35 cubic feet) of facility components where the length or area could not be measured previously. To determine whether paragraph (a)(4) of this section applies to planned renovation operations involving individual nonscheduled operations, predict the combined additive amount of RACM to be removed or stripped during a calendar year of January 1 through December 31. To determine whether paragraph (a)(4) of this section applies to emergency renovation operations, estimate the combined amount of RACM to be removed or stripped as a result of the sudden, unexpected event that necessitated the renovation. (b) Notification requirements. Each owner or operator of a demolition or renovation activity to which this section applies shall: (1) Provide the Administrator with written notice of intention to demolish or renovate. Delivery of the notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable. (2) Update notice, as necessary, including when the amount of asbestos affected changes by at least 20 percent. (3) Postmark or deliver the notice as follows: (i) At least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), if the operation is described in paragraphs (a)(1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section. If the operation is as described in paragraph (a)(2) of this section, notification is required 10 working days before demolition begins.

Table 1
Clean Air Act

Part 5. NESHAPs For Asbestos (con't.)

References 40 CFR 61.145 (con't.)	(ii) At least 10 working days before the end of the calendar year preceding the year for which notice is being given for renovations described in paragraph (a)(4)(iii) of this section. (iii) As early as possible before, but not later than, the following working day if the operation is a demolition ordered according to paragraph (a)(3) of this section, or if the operation is a renovation described in paragraph (a)(4)(iv) of this section. (iv) For asbestos stripping or removal work in a demolition or renovation operation, described in paragraphs (a)(1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section, and for a demolition described in paragraph (a)(2) of this section, that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator as follows: (A) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin after the date contained in the notice: (1.) Notify the Administrator of the new start date by telephone as soon as possible before the original start date, and (2.) Provide the Administrator with a written notice of the new start date as soon as possible before, and no later than, the original start date. Delivery of the updated notice by the U.S. Postal Service, commercial delivery service, or hand delivery is acceptable. (B) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin on a date earlier than the original start date: (1.) Provide the Administrator with a written notice of the new start date at least 10 working days before asbestos stripping or removal work begins. (2.) For demolitions covered by paragraph (a)(2) of this section, provide the Administrator written notice of a new start date at least 10 working days before commencement of demolition. Delivery of updated notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

Part 5. NESHAPs For Asbestos (con't.)

References 40 CFR 61.145 (con't.)	(C) In no event shall an operation covered by this paragraph begin on a date other than the date contained in the written notice of the new start date. (4) Include the following in the notice: (i) An indication of whether the notice is the original or a revised notification. (ii) Name, address, and telephone number of both the facility owner and operator and the asbestos removal contractor owner or operator. (iii) Type of operation: demolition or renovation. (iv) Description of the facility or affected part of the facility including the size (square meters [square feet] and number of floors), age, and present and prior use of the facility. (v) Procedure, including analytical methods, employed to detect the presence of RACM and Category I and Category II nonfriable ACM. (vi) Estimate of the approximate amount of RACM to be removed from the facility in terms of length of pipe in linear meters (linear feet), surface area in square meters (square feet) on other facility components, or volume in cubic meters (cubic feet) if off the facility components. Also, estimate the approximate amount of Category I and Category II nonfriable ACM in the affected part of the facility that will not be removed before demolition. (vii) Location and street address (including building number or name and floor or room number, if appropriate), city, county, and state, of the facility being demolished or renovated. (viii) Scheduled starting and completion dates of asbestos removal work (or any other activity, such as site preparation that would break up, dislodge, or similarly disturb asbestos material) in a demolition or renovation; planned renovation operations involving individual nonscheduled operations shall only include the beginning and ending dates of the report period as described in paragraph (a)(4)(iii) of this section.

Part 5. NESHAPs For Asbestos (con't.)

References 40 CFR 61.145 (con't.)	(ix) Scheduled starting and completion dates of demolition or renovation. (x) Description of planned demolition or renovation work to be performed and method(s) to be employed, including demolition or renovation techniques to be used and description of affected facility components. (xi) Description of work practices and engineering controls to be used to comply with the requirements of this subpart, including asbestos removal and waste-handling emission control procedures. (xii) Name and location of the waste disposal site where the asbestos-containing waste material will be deposited. (xiii) A certification that at least one person trained as required by paragraph (c)(8) of this section will supervise the stripping and removal described by this notification. This requirement shall become effective 1 year after promulgation of this regulation. (xiv) For facilities described in paragraph (a)(3) of this section, the name, title, and authority of the State or local government representative who has ordered the demolition, the date that the order was issued, and the date on which the demolition was ordered to begin. A copy of the order shall be attached to the notification. (xv) For emergency renovations described in paragraph (a)(4)(iv) of this section, the date and hour that the emergency occurred, a description of the sudden, unexpected event, and an explanation of how the event caused an unsafe condition, or would cause equipment damage or an unreasonable financial burden. (xvi) Description of procedures to be followed in the event that unexpected RACM is found or Category II nonfriable ACM becomes crumbled, pulverized, or reduced to powder. (xvii) Name, address, and telephone number of the waste transporter. (5) The information required in paragraph (b)(4) of this section must be reported using a form similar to that shown in Figure 3 {of 40 CFR 145}.

Table 1
Clean Air Act

Part 5. NESHAPs For Asbestos (con't.)

References 40 CFR 61.150	**Standard for Waste Disposal for Manufacturing, Fabricating, Demolition, Renovation, and Spraying Operations** (d) For all asbestos-containing waste material transported of the facility site: (1) Maintain waste shipment records, using a form similar to that shown in Figure 4 {of 40 CFR 145}, and include the following information: (i) The name, address, and telephone number of the waste generator. (ii) The name and address of the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program. (iii) The approximate quantity in cubic meters (cubic yards). (iv) The name and telephone number of the disposal site operator. (v) The name and physical site location of the disposal site. (vi) The date transported. (vii) The name, address, and telephone number of the transporter(s). (viii) A certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations. (2) Provide a copy of the waste shipment record, described in paragraph (d)(1) of this section, to the disposal site owners or operators at the same time as the asbestos-containing waste material is delivered to the disposal site. (3) For waste shipments where a copy of the waste shipment record, signed by the owner or operator of the designated disposal site, is not received by the waste generator within 35 days of the date the waste was accepted by the initial

Part 5. NESHAPs For Asbestos (con't.)

References
40 CFR 61.150 (con't.)

transporter, contact the transporter and/or the owner or operator of the designated disposal site to determine the status of the waste shipment.

(4) Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator if a copy of the waste shipment record, signed by the owner or operator of the designated waste disposal site, is not received by the waste generator within 45 days of the date the waste was accepted by the initial transporter. Include in the report the following information:

(i) A copy of the waste shipment record for which a confirmation of delivery was not received.

(ii) A cover letter signed by the waste generator explaining the efforts taken to located the asbestos waste shipment and the results of those efforts.

(5) Retain a copy of all waste shipment records, including a copy of the waste shipment record signed by the owner or operator of the designated waste disposal site, for at least 2 years.

References
40 CFR 61.153

Reporting

(a) Any new source to which this subpart applies (with the exception of sources subject to 40 CFR 61.143, 61.145, 61.146, and 61.148), which has an initial startup date preceding the effective date of this revision, shall provide the following information to the Administrator postmarked or delivered within 90 days of the effective date. In the case of a new source that does not have an initial startup date preceding the effective date, the information shall be provided, postmarked or delivered, within 90 days of the initial startup date. Any owner or operator of an existing source shall provide the following information to the Administrator within 90 days of the effective date of this subpart unless the owner or operator of the existing source has previously provided this information to the Administrator (Any changes in the information provided by any existing source shall be provided to the Administrator, postmarked or delivered, within 30 days after the change.):

(1) A description of the emission control equipment used for each process; and

(i) If the fabric device uses a woven fabric, the airflow permeability in $m^3/min/m^2$.

Part 5. NESHAPs For Asbestos (con't.)

References 40 CFR 61.153 (con't.)	(ii) If the fabric is synthetic, whether the fill yarn is spun or not spun. (iii) If the fabric filter device uses a felted fabric, the density in g/m^2, the minimum thickness in inches, and the airflow permeability in $m^3/min/m^2$. (2) If a fabric filter device is used to control emissions, (i) The airflow permeability in $m^3/min/m^2$ ($ft^3/min/ft^2$) if the fabric filter device uses a woven fabric, and, if the fabric is synthetic, whether the fill yarn is spun or not spun, and (ii) If the fabric filter device uses a felted fabric, the density in g/m^2 (oz/yd^2), the minimum thickness in millimeters (inches), and the airflow permeability in $m^3/min/m^2$ ($ft^3/min/ft^2$). (3) If a High Efficiency Particulate Air (HEPA) filter is used to control emissions, the certified efficiency. (4) For sources subject to 40 CFR 61.149 and 61.150: (i) A brief description of each process that generates asbestos-containing waste material. (ii) The average volume of asbestos-containing waste material disposed of, measured in m^3/day (yd^3/day). (iii) The emission control methods used in all stages of waste disposal. (iv) The type of disposal site or incineration site used for ultimate disposal, the name of the site operator, and the name and location of the disposal site. (5) For sources subject to 40 CFR 61.151 and 61.154: (i) A brief description of the site. (ii) The method or methods used to comply with the standard, or alternative procedures to be used.

Table 1
Clean Air Act

Part 5. NESHAPs For Asbestos (con't.)

References 40 CFR 61.153 (con't.)	(b) The information required by paragraph (a) of this section must accompany the information required by 40 CFR 61.10. Active waste disposal sites subject to 40 CFR 61.154 shall also comply with this provision. Roadways, demolition and renovation, spraying, and insulating materials are exempted from the requirements of 40 CFR 61.10(a). The information described in this section must be reported using the format of Appendix A of 40 CFR Part 61 as a guide.
References 40 CFR 61.154	**Standard for Active Waste Disposal Sites** (e) For all asbestos-containing waste material received, the owner or operator of the active waste disposal site shall: (1) Maintain waste shipment records, using a form similar to that shown in Figure 4 {of 40 CFR Part 61.149}, and include the following information: (i) The name, address, and telephone number of the waste generator. (ii) The name, address, and telephone number or the transporter(s). (iii) The quantity of the asbestos-containing waste material in cubic meters (cubic yards). (iv) The presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the waste shipment record along with the report. (v) The date of the receipt. (2) As soon as possible and no longer than 30 days after receipt of the waste, send a copy of the signed waste shipment record to the waste generator.

Part 5. NESHAPs For Asbestos (con't.)

References 40 CFR 61.154 (con't.)	(3) Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report. (4) Retain a copy of all records and reports required by this paragraph for at least 2 years. (j) Notify the Administrator in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice: (1) Scheduled starting and completion dates. (2) Reason for disturbing the waste. (3) Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the Administrator may require changes in the emission control procedures to be used. (4) Location of any temporary storage site and the final disposal site.
References 40 CFR 61.155	**Standard for Operations that Convert Asbestos** (g) Submit the following reports to the Administrator: (1) A report for each analysis of product composite samples performed during the initial 90 days of operation.

Part 5. NESHAPs For Asbestos (con't.)

References 40 CFR 61.155 (con't.)	(2) A quarterly report, including the following information concerning activities during each consecutive 3-month period: (i) Results of analyses of monthly product composite samples. (ii) A description of any deviation from the operating parameters established during performance testing, the duration of the deviation, and steps taken to correct the deviation. (iii) Disposition of any product produced during a period of deviation, including whether it was recycled, disposed of as asbestos-containing waste material, or stored temporarily on-site until analyzed for asbestos content. (iv) The information on waste disposal activities as required in 40 CFR 61.154(f).

Table 1
Clean Air Act

Part 6. NESHAPs - Radon Emissions from DOE Facilities

Authorizations
Clean Air Act, Section 118

References
40 CFR 61.190

Designation of Facilities

The provisions of this subpart apply to the design and operation of all storage and disposal facilities for radium-containing material (i.e., byproduct material as defined under Section II.e(2) of the Atomic Energy Act of 1954 (as amended)) that are owned or operated by the Department of Energy and that emit radon-222 into air, including these facilities: The Feed Materials Production Center, Fernald, Ohio; the Niagara Falls Storage Site, Lewiston, New York; the Weldon Spring Site, Weldon Spring, Missouri; the Middlesex Sampling Plant, Middlesex, New Jersey; {and} the Monticello Uranium Mill Tailings Pile, Monticello, Utah. This subpart does not apply to facilities listed in or designated by the Secretary of Energy under Title I of the Uranium Mill Tailings Control Act of 1978.

References
40 CFR 61.191

Definitions

As used in this subpart, all terms not defined here have the meaning given them in the Clean Air Act or Subpart A of {40 CFR} Part 61. The following terms shall have the following specific meanings:

(a) "Facility" means all buildings, structures and operations on one contiguous site.

(b) "Source" means any building, structure, pile, impoundment or area used for interim storage or disposal that is or contains waste material containing radium in sufficient concentration to emit radon-222 in excess of this standard prior to remedial action.

References
40 CFR 61.192

Standard

No source at a Department of Energy facility shall emit more than 20 pCi/-m^2-s of radon-222 as an average for the entire source, into the air. This requirement will be part of any Federal Facilities Agreement reached between Environmental Protection Agency and Department of Energy.

References
49 CFR 61.193

Exemptions from the Reporting and Testing Requirements

All facilities designated under this subpart are exempt from the reporting requirements of 40 CFR 61.10.

Part 7. NESHAPs - Radon Emissions from Operating Mill Tailings

Authorizations
Clean Air Act, Section 112

References
40 CFR 61.253

References
40 CFR 61.254

Determining Compliance

Compliance with the emission standard in this subpart shall be determined annually through the use of Appendix B of 40 CFR Part 61, Method 115. When measurements are to be made over a one year period, EPA shall be provided with a schedule of the measurement frequency to be used. The schedule may be submitted to EPA prior to or after the first measurement period. EPA shall be notified 30 days prior to any emissions test so that EPA may, at its option, observe the test.

Annual Reporting Requirements

(a) The owners or operators of operating existing mill impoundments shall report the results of the compliance calculations required in 40 CFR 61.253 and the input parameters used in making the calculation for each calendar year shall be sent to EPA by March 31 of the following year. Each report shall also include the following information:

(1) The name and location of the mill.

(2) The name of the person responsible for the operation of the facility and the name of the person preparing the report (if different).

(3) The results of the testing conducted, including the results of each measurement.

(4) Each report shall be signed and dated by a corporate officer in charge of the facility and contain the following declaration immediately above the signature line: "I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment. See, 18 U.S.C. 1001."

(b) If the facility is not in compliance with the emission limits of 40 CFR 61.252 in the calendar year covered by the report, then the facility must commence reporting to the Administrator on a monthly basis the information listed in paragraph (a) of this section, for the preceding month. These reports will start the month immediately following the submittal of the annual report for the year in noncompliance and will be due 30 days following the end of each month. This increased level of reporting will continue until the Administrator has determined that the monthly reports are no longer necessary.

Part 7. NESHAPs - Radon Emissions from Operating Mill Tailings (con't)

References
40 CFR 61.254 (con't.)

In addition to all the information required in paragraph (a) of this section, monthly reports shall also include the following information:

(1) All controls or other changes in operation of the facility that will be or are being installed to bring the facility into compliance.

(2) If the facility is under a judicial or administrative enforcement decree, the report will describe the facilities performance under the terms of the decree.

(c) The first report will cover the emissions of calendar year 1990.

References
40 CFR 61.256

Exemption from the Reporting and Testing Requirements

All facilities designated under this subpart are exempt from the reporting requirements of 40 CFR 61.10.

Table 1
Clean Air Act

Part 8. NESHAPs - Radon Emissions from the Disposal of Uranium Mill Tailings

Authorizations
Clean Air Act, Section 112

References
40 CFR 61.220

Designation of Facilities

(a) The provisions of this subpart apply to the owners and operators of all sites that are used for the disposal of tailings, and that managed residual radioactive material or uranium byproduct materials during and following the processing of uranium ores, commonly referred to as uranium mills and their associated tailings, that are listed in, or designated by the Secretary of Energy under Title 1 of the Uranium Mill Tailings Control Act of 1978 or regulated under Title II of the Uranium Mill Tailings Control Act of 1978.

References
40 CFR 61.221

Definitions

As used in this subpart, all terms not defined here have the meaning given them in the Clean Air Act or Subpart A of 40 CFR Part 61. The following terms shall have the following specific meanings:

(a) Long-term stabilization means the addition of material on a uranium mill tailings pile for the purpose of ensuring compliance with the requirements of 40 CFR 192.02(a). These actions shall be considered complete when the Nuclear Regulatory Commission determines that the requirements of 40 CFR 192.02(a) have been met.

(b) Operational means a uranium mill tailings pile that is licensed to accept additional tailings, and those tailings can be added without violating Subpart W or any other Federal, state or local rule or law. A pile cannot be considered operational if it is filled to capacity or the mill it accepts tailings from has been dismantled or otherwise decommissioned.

(c) Uranium byproduct material or tailings means the waste produced by the extraction or concentration of uranium from any ore processed primarily for its source material content. Ore bodies depleted by uranium solution extraction and which remain underground do not constitute byproduct material for the purposes of this subpart.

References
40 CFR 61.222

Standard

(a) Radon-222 emissions to the ambient air from uranium mill tailings piles that are no longer operational shall not exceed 20 pCi/m^2-s of radon-222.

(b) Once a uranium mill tailings pile or impoundment ceases to be operational it must be disposed of and brought into compliance with this standard within two years of the effective date or within two years of the day it ceases to be

References
40 CFR 61.222 (con't.)

operational whichever is later. If it is not physically possible for a mill owner or operator to complete disposal within that time, EPA shall, after consultation with the mill owner or operator, establish a compliance agreement which will assure that disposal will be completed as quickly as possible.

References
40 CFR 61.223

Compliance Procedures

(a) Sixty days following the completion of covering the pile to limit radon emissions but prior to the long-term stabilization of the pile, the owners or operators of uranium mill tailings shall conduct testing for all piles within the facility in accordance with the procedures described in 40 CFR Part 61, Appendix B, Method 115, or other procedures for which EPA has granted prior approval.

(b) Ninety days after the testing is required, each facility shall provide EPA with a report detailing the actions taken and the results of the radon-222 flux testing. EPA shall be notified at least 30 days prior to an emission test so that EPA may, at its option, observe the test. If meteorological conditions are such that a test cannot be properly conducted, then the owner or operator shall notify EPA and test as soon as conditions permit. Each report shall also include the following information:

(1) The name and location of the facility.

(2) A list of the piles at the facility.

(3) A description of the control measures taken to decrease the radon flux from the source and any actions taken to insure the long-term effectiveness of the control measures.

(4) The results of the testing conducted, including the results of each measurement.

(5) Each report shall be signed and dated by a corporate officer or public official in charge of the facility and contain the following declaration immediately above the signature line: "I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment. See, 18 U.S.C. 1001."

Part 8. NESHAPs - Radon Emissions from the Disposal of Uranium Mill Tailings (con't.)

References 40 CFR 61.223 (con't.)	(c) If year-long measurements are made in accordance with Method 115 of Appendix B of 40 CFR Part 61, this report shall include the results of the first measurement period and provide a schedule for the measurement frequency to be used. An additional report shall be submitted ninety days after completion of the final measurements.
References 40 CFR 61.225	**Exemption from the Reporting and Testing Requirements** All facilities designated under this subpart are exempt from the reporting requirements of 40 CFR 61.10.

Table 1
Clean Air Act

Part 9. NESHAPs - Equipment Leaks (Fugitive Emission Sources)

Authorizations
Clean Air Act, Section 112

References
40 CFR 61.240

Applicability and Designation of Sources

(a) The provisions of this subpart apply to each of the following sources that are intended to operate in volatile hazardous air pollutant (VHAP) service: pumps; compressors; pressure relief devices; sampling connection systems; open-ended valves or lines; valves, flanges and other connectors; product accumulator vessels; and control devices or systems required by this subpart.

(b) The provisions of this subpart apply to the sources listed in paragraph (a) after the date of promulgation of a specific subpart in 40 CFR Part 61.

(c) While the provisions of this subpart are effective, a source to which this subpart applies that is also subject to the provisions of 40 CFR Part 60 only will be required to comply with the provisions of this subpart.

References
40 CFR 61.247

Reporting Requirements

(a) (1) An owner or operator of any piece of equipment to which this subpart applies shall submit a statement in writing notifying the Administrator that the requirements of 40 CFR 61.242, 61.245, 61.246, and 61.247 are being implemented.

(2) In the case of an existing source or a new source which has an initial startup date preceding the effective date, the statement is to be submitted within 90 days of the effective date, unless a waiver of compliance is granted under 40 CFR 61.11, along with the information required under 40 CFR 61.10. If a waiver of compliance is granted, the statement is to be submitted on a date scheduled by the Administrator.

(3) In the case of new sources which did not have an initial startup date preceding the effective date, the statement shall be submitted with the application for approval of construction, as described in 40 CFR 61.07.

(4) The statement is to contain the following information for each source:

(i) Equipment identification number and process unit identification.

(ii) Type of equipment (for example, a pump or pipeline valve).

Table 1
Clean Air Act

Part 9. NESHAPs - Equipment Leaks (Fugitive Emission Sources) (con't.)

References 40 CFR 61.247 (con't.)	(iii) Percent by weight VHAP in the fluid at the equipment. (iv) Process fluid state at the equipment (gas/vapor or liquid). (v) Method of compliance with the standard (for example, "monthly leak detection and repair" or "equipped with dual mechanical seals"). (b) A report shall be submitted to the Administrator semiannually starting 6 months after the initial report required in paragraph (a) of this section, that includes the following information: (1) Process unit identification. (2) For each month during the semiannual reporting period: (i) Number of valves for which leaks were detected as described in 40 CFR 61.242-7(b) {or} 40 CFR 61.243-2. (ii) Number of valves for which leaks were not repaired as required in 40 CFR 61.242-7(d). (iii) Number of pumps for which leaks were detected as described in 40 CFR 61.242-2(b) and (d)(6). (iv) Number of pumps for which leaks were not repaired as required in 40 CFR 61.242-2(c) and (d)(6). (v) Number of compressors for which leaks were detected as described in 40 CFR 61.242-3(f). (vi) Number of compressors for which leaks were not repaired as required in 40 CFR 61.242-3(g). (vii) The facts that explain any delay of repairs and, where appropriate, why a process unit shutdown was technically infeasible. (3) Dates of process unit shutdowns which occurred within the semiannual reporting period.

Part 9. NESHAPs - Equipment Leaks (Fugitive Emission Sources) (con't.)

References	
40 CFR 61.247 (con't.)	(4) Revisions to items reported according to paragraph (a) if changes have occurred since the initial report or subsequent revisions to the initial report. Note: Compliance with the requirements of 40 CFR 61.10(c) is not required for revisions documented under this paragraph. (5) The results of all performance tests and monitoring to determine compliance with no detectable emissions and with 40 CFR 61.243-1 and 61.243-2 conducted within the semiannual reporting period. (c) In the first report submitted as required in paragraph (a) of this section, the report shall include a reporting schedule stating the months that semiannual reports shall be submitted. Subsequent reports shall be submitted according to that schedule, unless a revised schedule has been submitted in a previous semiannual report. (d) An owner or operator electing to comply with the provisions of 40 CFR 61.243-1 and 61.243-2 shall notify the Administrator of the alternative standard selected 90 days before implementing either of the provisions. (e) An application for approval of construction or modification, 40 CFR 61.05(a) and 61.07, will not be required if: (1) The new source complies with the standard, 40 CFR 61.242, (2) The new source is not part of the construction of a process unit, and (3) In the next semiannual report required by paragraph (b) of this section, the information in paragraph (a)(4) of this section is reported.