

Statement of Basis

**Permit to Construct No. P-2013.0051
Project ID 61513**

**Nu-West (Agrium) Rasmussen Ridge Mine
19 Miles Northeast of Soda Springs, Idaho**

Facility ID 029-00031

Final

July 17, 2015
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The purpose of this Statement of Basis is to satisfy the requirements of IDAPA 58.01.01. et seq, Rules for the Control of Air Pollution in Idaho, for issuing air permits.

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ACRONYMS, UNITS, AND CHEMICAL NOMENCLATURE

AAC	acceptable ambient concentrations
AACC	acceptable ambient concentrations for carcinogens
acfm	actual cubic feet per minute
Agrium	Nu-West Industries, Inc. doing business as Agrium Conda Phosphate Operations (Agrium)
ASTM	American Society for Testing and Materials
bhp	brake horsepower
BMP	best management practices
Btu	British thermal units
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	continuous emission monitoring systems
cfm	cubic feet per minute
CFR	Code of Federal Regulations
CI	compression ignition
CMS	continuous monitoring systems
CO	carbon monoxide
CO ₂	carbon dioxide
CO _{2e}	CO ₂ equivalent emissions
COMS	continuous opacity monitoring systems
DEQ	Department of Environmental Quality
dscf	dry standard cubic feet
EL	screening emission levels
EPA	U.S. Environmental Protection Agency
FR	Federal Register
g	gram
GHG	greenhouse gases
gph	gallons per hour
gpm	gallons per minute
gr	grains (1 lb = 7,000 grains)
HAP	hazardous air pollutants
HHV	higher heating value
hp	horsepower
hr/yr	hours per consecutive 12 calendar month period
ICE	internal combustion engines
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
km	kilometers
kw	kilowatt
lb/hr	pounds per hour
lb/qtr	pound per quarter
m	meters
MACT	Maximum Achievable Control Technology
MMBtu/yr	million British thermal units per hour
MMscf	million standard cubic feet
NAAQS	National Ambient Air Quality Standard
NESHAP	National Emission Standards for Hazardous Air Pollutants
NMHC	Non-Methane Hydrocarbons
NO ₂	nitrogen dioxide
NOx	nitrogen oxides
NRRM	North Rasmussen Ridge Mine
NSPS	New Source Performance Standards

O&M	operation and maintenance
O ₂	oxygen
P ₂ O ₅	diphosphorus pentoxide
PAH	polyaromatic hydrocarbons
PC	permit condition
PCB	polychlorinated biphenyl
PM	particulate matter
PM _{2.5}	particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers
PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
POM	polycyclic organic matter
ppm	parts per million
ppmw	parts per million by weight
PSD	Prevention of Significant Deterioration
psig	pounds per square inch gauge
PTC	permit to construct
PTC/T2	permit to construct and Tier 2 operating permit
PTE	potential to emit
PW	process weight rate
RICE	reciprocating internal combustion engines
Rules	Rules for the Control of Air Pollution in Idaho
scf	standard cubic feet
SCL	significant contribution limits
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SM	synthetic minor
SM80	synthetic minor facility with emissions greater than or equal to 80% of a major source threshold
SO ₂	sulfur dioxide
SO _x	sulfur oxides
T/day	tons per calendar day
T/hr	tons per hour
T/yr	tons per consecutive 12 calendar month period
TAP	toxic air pollutants
TBD	to be determined
ULSD	ultra-low-sulfur diesel
U.S.C.	United States Code
VOC	volatile organic compounds
µg/m ³	micrograms per cubic meter

FACILITY INFORMATION

Description

Nu-West Industries, Inc. doing business as Agrium Conda Phosphate Operations (Agrium) has an air quality Permit-to-Construct (PTC) for the North Rasmussen Ridge Mine (NRRM) located approximately 19 miles northeast of Soda Springs, in Caribou County, Idaho. The mine is an open pit phosphate rock mine designed to supply phosphate ore material to the Agrium Conda Phosphate Operation, located 6 miles northeast of Soda Springs, Idaho.

As discussed in the statement of basis for the PTC No. P-020327 issued on October 24, 2003, for permitting purposes, the Rasmussen Ridge Mine is the “facility”, and each separate mining area (i.e., the South, Central and North Rasmussen Ridge mine areas, and the load-out area) is considered to be a separate activity at that facility. In addition, the Nu-West Rasmussen Ridge Mine is a separate facility from the Nu-West manufacturing facility (i.e., Agrium Conda Phosphate Operation); these two do not constitute one facility. This is because the two are not part of the same industrial grouping (i.e., the mine SIC is 1475 and the manufacturing facility SIC is 2874). In addition, these two do not “... approximate the common sense notion of a plant...” as outlined in Section IX of the preamble to the NSR rules (45 FR 52693, August 7, 1980).

At NRRM, ore and waste are subjected to drilling and blasting activities as required to enable mining excavation and are separated by the grade of P₂O₅ and other constituents contained in the respective material. Excavation is conducted using a fleet of diesel/hydraulic excavators and diesel haul trucks of varying sizes. Other auxiliary equipment is utilized at the site to facilitate the work force and other required site activities such as drilling, water pumping, transportation, rail loading and remote lighting to facilitate 24 hours operations.

The operations at NRRM require the use of generator sets to produce electrical power for the maintenance shop, employee offices, and mine operations. Agrium has a PTC covering all stationary combustion equipment of NRRM.

Permitting History

The following information was derived from a review of the permit files available to DEQ. Permit status is noted as active and in effect (A) or superseded (S).

February 5, 1995	029-00031, PTC for a Caterpillar Model 3412 Diesel Generator rated at 545 kilowatts at 100% load, Permit status (S)
October 24, 2003	P-020327, PTC for including #5001 Standby Generator, Caterpillar 300, 375 hp and mining and loading operations (S)
May 16, 2014	P-2013.0051 project 61270, adding new stationary combustion engines and including all existing stationary combustion units, generators, and light plant units that are not covered by prior permits into a single PTC (A, but will become S upon issuance of this permit)

Application Scope

Agrium has requested to replace the Tier 2, 388 hp emergency backup diesel generator with a Tier 4 interim 394 hp emergency backup generator.

Application Chronology

May 5, 2015	DEQ received an application and an application fee.
May 27, 2015	DEQ determined that the application was complete.
June 29, 2015	DEQ made available the draft permit and statement of basis for peer and regional office review.
June 29, 2015	DEQ made available the draft permit and statement of basis for applicant review.

July 13, 2015 DEQ made available the 2nd draft permit and statement of basis for applicant review.

July 13, 2015 DEQ received the permit processing fee.

July 17, 2015 DEQ issued the final permit and statement of basis.

TECHNICAL ANALYSIS

Emissions Units and Control Equipment

The information is taken from the statement of basis for PTC No. P-2013.0051 project 61270 issued on May 16, 2014 except for the new Tier 4 interim 394 hp emergency backup diesel generator and the new information for the well pump generator provided by the applicant on 7/2/2015.

Table 1 EMISSIONS UNIT AND CONTROL EQUIPMENT INFORMATION

Source ID No.	Sources	Control Equipment
Stck 1	<p><u>Office/Shop Main Generator</u> <u>One (1) Interim Tier 4, 1,093 hp diesel generator</u> Manufacturer: Caterpillar Model: C27 Model Year: 2012 Installed Date: 2013 Maximum Rated Engine Power: 1,093 bhp Engine Displacement: 27.03 liters, V-12 (2.25 liters/cylinder) Ignition Type: Compression Use: Non-emergency Fuel: Ultra-Low-Sulfur Diesel (ULSD) Full Load Consumption Rate: 53.2 gal/hr</p>	None
Stck 2 Stck 3 Stck 4	<p><u>Stormwater/Melt Water Pump Engines</u> <u>Three (3) rental Tier 3 diesel generators, each has the following, or functional equivalent, specifications</u> Manufacturer: John Deere Model: 6068HF485 EPA Certification: Tier 3 or better Model Year: 2011 or newer Installed Date: 2013 Maximum Rated Engine Power: 315 bhp or less Engine Displacement: 6.8 liters Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: 13.5 gal/hr</p>	None
Stck 5	<p><u>Office/Shop Emergency Generator</u> <u>One (1) Tier 4 interim, 394 hp emergency back-up diesel generator</u> Manufacturer: Cummins Inc. Model: QSL9-G8 NR4 Engine Family: DCEXL08.9AAI Model Year: 2013 Installed Date: 2015 Maximum Rated Engine Power: 394 bhp Engine Displacement: 8.9 liters Ignition Type: Compression Use: Emergency back-up/non-emergency Fuel: ULSD Full Load Consumption Rate: 25.52 gal/hr</p>	Diesel particulate filter

Source ID No.	Sources	Control Equipment
Stck 6	<p>Well Pump Generator <u>One (1) Tier 4 interim, 100 hp diesel generator</u> Manufacturer: John Deere Model: 4045HFG92 Engine Family: DJDXL04.5211 Model Year: 2013 Installed Date: 2014 Maximum Rated Engine Power: 100 bhp Engine Displacement: 4.5 liters Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: 7.94 gal/hr</p>	Diesel particulate filter
Stck 7	<p><u>One (1) Peerless 1.64 MMBtu boiler</u> Manufacturer: Peerless Model: 211A Manufacture Date: 2003 Heat Input Rating: 1.64 MMBtu/hr Use: Space heat and hot water Fuel: Propane</p>	None

Source ID No.	Sources	Control Equipment
Stck 8 – Stck 22	<p>Fifteen (15) diesel-fired light plants</p> <p><u>Stck 8 to Stck 12; each has the following, or functional equivalent, specifications:</u> Manufacturer: Ingersoll Rand (Kubota) Engine Family: 6KBXL01.3BCC EPA Certification: Tier 2, Indirect Diesel Ignition Model Year: 2006 Installed Date: 2007 Maximum Rated Engine Power: 18 kW or less Engine Displacement: 1.335 liters or less Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: Unknown</p> <p><u>Stck 13 to Stck 15; each has the following, or functional equivalent, specifications:</u> Manufacturer: Ingersoll Rand (Kubota) Model: D905-BG-ES01 Engine Family: 5KBXL01.5BCC EPA Certification: Tier 2, Indirect Diesel Ignition Model Year: 2005 Installed Date: 2007 Maximum Rated Engine Power: 18 kW or less Engine Displacement: 1.498 liters or less Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: Unknown</p> <p><u>Stck 16 to Stck 21; each has the following, or functional equivalent, specifications:</u> Manufacturer: Mobilight (Kubota) Model: V1505-BG-ET02 Engine Family: BKBXL01.5BCC EPA Certification: Tier 4 Emission Controls: Engine Modification and Indirect Diesel Ignition Model Year: 2011 Installed Date: 2010 Maximum Rated Engine Power: 18 kW or less Engine Displacement: 1.5 liters or less Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: 5.8 lb/hr</p> <p><u>Stck 22:</u> Manufacturer: Whitman Model: Unknown Model Year: Unknown Installed Date: 2003 Maximum Rated Engine Power: 27 bhp Engine Displacement: Unknown Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: Unknown</p>	None

Source ID No.	Sources	Control Equipment
Stck 23	<p><u>Kiewit Contractor Generator</u> <u>One (1) Tier 3, 90 hp diesel generator</u> Manufacturer: John Deere Model: 4045TF285E Engine Family: BJDXL04.5107 EPA Certification: Tier 3 Emission Controls: ECM, TC, Direct Diesel Injection, Smoke Puff Limiter Model Year: 2011 Installed Date: 2011 Maximum Rated Engine Power: 90 bhp Max Rated Power from Engine Label: 74 kW (99.2 hp) Engine Displacement: 4.5 liters Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: 4.3 gal/hr</p>	None
Stck 24	<p><u>Pit Generator</u> <u>One (1) 52 hp diesel generator</u> Manufacturer: ISUZU Model: 4BD1 Model Year: 2005 Installed Date: 2012 Maximum Rated Engine Power: 52 bhp Engine Displacement: Unknown Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: Unknown</p>	None
Stck 25	<p><u>Dust Suppressant Generator</u> <u>One (1) Tier 3, 97.9 hp diesel generator</u> Manufacturer: ISUZU Model: BJ-4JJ1X Model Year: 2011 Installed Date: 2012 Engine Family: BSZXL03.0JXB EPA Certification: Tier 3 Emission Controls: Electronic Control Module, Engine Modification, Exhaust Gas Recirculation, Turbocharger, Charge Air Cooler, Direct Fuel Injection Maximum Rated Engine Power: 97.9 bhp Engine Displacement: 3.0 liters Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: 35.6 lbs/hr</p>	None

Source ID No.	Sources	Control Equipment
Stck 28 (According to the modeling memo)	Shovel Generator <u>One (1) Interim Tier 4, 67 hp diesel generator</u> Manufacturer: ISUZU Model: BU-4JJ1T Model Year: 2011 Installed Date: 2013 Engine Family: BSZXL03.0UTB EPA Certification: Interim Tier 4 Emission Controls: Electronic Control Module, Exhaust Gas Recirculation, Turbocharger, Electronic Direct Injection Maximum Rated Engine Power: 67 bhp Engine Displacement: 3.0 liters Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: 2.8 gal/hr	None
NA	Mobile equipment engaged in mining and hauling ore	Reasonable control of fugitive dust
NA	Ore handling operations; ore hopper, underground grizzly screen, conveyors, and rail car loading operations	Reasonable control of fugitive dust
NA	Mine roads and excavation areas	Reasonable control of fugitive dust

Emissions Inventories

Potential to Emit

IDAPA 58.01.01 defines Potential to Emit (PTE) as the maximum capacity of a facility or stationary source to emit an air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is state or federally enforceable. Secondary emissions do not count in determining the potential to emit of a facility or stationary source.

Using this definition of PTE, an emission inventory was developed for the operations at the facility by Agrium. DEQ has reviewed the emissions estimates and found that the calculation methods are acceptable.

Uncontrolled Potential to Emit

Using the definition of Potential to Emit, uncontrolled Potential to Emit is then defined as the maximum capacity of a facility or stationary source to emit an air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall **not** be treated as part of its design **since** the limitation or the effect it would have on emissions **is not** state or federally enforceable.

The uncontrolled Potential to Emit is used to determine if a facility is a “Synthetic Minor” source of emissions. Synthetic Minor sources are facilities that have an uncontrolled Potential to Emit for regulated air pollutants or HAP above the applicable Major Source threshold without permit limits.

For this facility, the uncontrolled PTE is the same as the PTE because emissions from all engines are based on the engines’ rated capacity and operating hour of 8,760 hours per year.

Pre-Project Potential to Emit

Pre-project Potential to Emit is used to establish the change in emissions at a facility as a result of this project.

The following table presents the pre-project potential to emit for all criteria pollutants that is taken from PTC No. P-2013.0051 project 61270 issued on May 16, 2014.

Table 2 PRE-PROJECT POTENTIAL TO EMIT FOR REGULATED AIR POLLUTANTS (T/yr)

Emission Sources	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
	T/Yr	T/Yr	T/Yr	T/Yr	T/Yr	T/Yr
STCK1' Main Generator (1093 hp)	0.92	0.92	0.06	24.40	10.29	3.38
STCK2' Water Pump Generator (315 hp) - Pond #2	0.23	0.23	0.02	7.70	1.36	3.47
STCK3' Water Pump Generator (315 hp) - Central Pit	0.23	0.23	0.02	7.70	1.36	3.47
STCK4' Water Pump Generator (315 hp) - South Pump	0.23	0.23	0.02	7.70	1.36	3.47
STCK5' Electrical Generator (388 hp)	0.50	0.50	0.02	17.01	2.40	4.27
STCK6' Well Pump Generator (100 hp)	0.001	0.001	0.005	1.87	0.07	1.10
STCK7' Propane boiler (1.64 MMBtu/hr)	0.04	0.04	0.0013	0.83	0.48	0.06
STCK8' Diesel light plant - 1	0.08	0.08	0.0012	0.92	0.35	0.27
STCK9' Diesel light plant - 2	0.08	0.08	0.0012	0.92	0.35	0.27
STCK10' Diesel light plant - 3	0.08	0.08	0.0012	0.92	0.35	0.27
STCK11' Diesel light plant - 4	0.08	0.08	0.0012	0.92	0.35	0.27
STCK12' Diesel light plant - 5	0.08	0.08	0.0012	0.92	0.35	0.27
STCK13' Diesel light plant - 6	0.09	0.09	0.0012	0.88	0.36	0.27
STCK14' Diesel light plant - 7	0.09	0.09	0.0012	0.88	0.36	0.27
STCK15' Diesel light plant - 8	0.09	0.09	0.0012	0.88	0.36	0.27
STCK16' Diesel light plant - 9	0.03	0.03	0.0012	1.06	0.15	0.27
STCK17' Diesel light plant - 10	0.03	0.03	0.0012	1.06	0.15	0.27
STCK18' Diesel light plant - 11	0.03	0.03	0.0012	1.06	0.15	0.27
STCK19' Diesel light plant - 12	0.03	0.03	0.0012	1.06	0.15	0.27
STCK20' Diesel light plant - 13	0.03	0.03	0.0012	1.06	0.15	0.27
STCK21' Diesel light plant - 14	0.03	0.03	0.0012	1.06	0.15	0.27
STCK22' Diesel light plant - 15	0.26	0.26	0.0013	3.67	0.79	0.30
STCK23' Kiewit contractor Generator (90 hp)	0.14	0.14	0.0047	2.92	1.64	1.09
STCK24' Pit Generator (52 hp)	0.50	0.50	0.0025	7.06	1.52	0.57
STCK25' Dust Suppressant Generator (97.9 hp)	0.12	0.12	0.0047	2.04	0.84	1.08
STCK28' Shovel Generator (67 hp)	0.11	0.11	0.0032	1.44	0.67	0.74
Totals	3.88	3.88	0.16	94.25	25.72	26.42

Post Project Potential to Emit

Post project Potential to Emit is used to establish the change in emissions at a facility and to determine the facility's classification as a result of this project. Post project Potential to Emit includes all permit limits resulting from this project.

The following table presents the post project Potential to Emit for criteria air pollutants from all emissions units at the facility. Agrium has submitted emissions from the Tier 4 interim, 394 hp emergency backup generator on May 5, 2015. The calculation is included in Appendix A. Agrium has used engine specific emission factors (e.g., engine certification data) and has used ultra-low-sulfur diesel to calculate SO₂ emissions.

Table 3 POST PROJECT POTENTIAL TO EMIT FOR REGULATED AIR POLLUTANTS

Emission Sources	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
	T/Yr	T/Yr	T/Yr	T/Yr	T/Yr	T/Yr
STCK1' Main Generator (1093 hp)	0.92	0.92	0.06	24.40	10.29	3.38
STCK2' Water Pump Generator (315 hp) - Pond #2	0.23	0.23	0.02	7.70	1.36	3.47
STCK3' Water Pump Generator (315 hp) - Central Pit	0.23	0.23	0.02	7.70	1.36	3.47
STCK4' Water Pump Generator (315 hp) - South Pump	0.23	0.23	0.02	7.70	1.36	3.47
STCK5' Tier II Electrical Generator (388 hp) (to be replaced by the Tier 4 interim Electrical Generator)	-0.50	-0.50	-0.02	-17.01	-2.40	-4.27
STCK5' Tier 4 interim Electrical Generator (394 hp) (new, replacing Tier II Electrical Generator)	+0.01	+0.01	+0.02	+4.81	+0.06	+4.34
STCK6' Well Pump Generator (100 hp)	0.001	0.001	0.005	1.87	0.07	1.10
STCK7' Propane boiler (1.64 MMBtu/hr)	0.04	0.04	0.0013	0.83	0.48	0.06
STCK8' Diesel light plant - 1	0.08	0.08	0.0012	0.92	0.35	0.27
STCK9' Diesel light plant - 2	0.08	0.08	0.0012	0.92	0.35	0.27
STCK10' Diesel light plant - 3	0.08	0.08	0.0012	0.92	0.35	0.27
STCK11' Diesel light plant - 4	0.08	0.08	0.0012	0.92	0.35	0.27
STCK12' Diesel light plant - 5	0.08	0.08	0.0012	0.92	0.35	0.27
STCK13' Diesel light plant - 6	0.09	0.09	0.0012	0.88	0.36	0.27
STCK14' Diesel light plant - 7	0.09	0.09	0.0012	0.88	0.36	0.27
STCK15' Diesel light plant - 8	0.09	0.09	0.0012	0.88	0.36	0.27
STCK16' Diesel light plant - 9	0.03	0.03	0.0012	1.06	0.15	0.27
STCK17' Diesel light plant - 10	0.03	0.03	0.0012	1.06	0.15	0.27
STCK18' Diesel light plant - 11	0.03	0.03	0.0012	1.06	0.15	0.27
STCK19' Diesel light plant - 12	0.03	0.03	0.0012	1.06	0.15	0.27
STCK20' Diesel light plant - 13	0.03	0.03	0.0012	1.06	0.15	0.27
STCK21' Diesel light plant - 14	0.03	0.03	0.0012	1.06	0.15	0.27
STCK22' Diesel light plant - 15	0.26	0.26	0.0013	3.67	0.79	0.30
STCK23' Kiewit contractor Generator (90 hp)	0.14	0.14	0.0047	2.92	1.64	1.09
STCK24' Pit Generator (52 hp)	0.50	0.50	0.0025	7.06	1.52	0.57

Emission Sources	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
	T/Yr	T/Yr	T/Yr	T/Yr	T/Yr	T/Yr
STCK25' Dust Suppressant Generator (97.9 hp)	0.12	0.12	0.0047	2.04	0.84	1.08
STCK28' Shovel Generator (67 hp)	0.11	0.11	0.0032	1.44	0.67	0.74
Totals	3.39	3.39	0.16	82.05	23.38	26.49

Change in Potential to Emit

The change in facility-wide potential to emit is used to determine if a public comment period may be required and to determine the processing fee per IDAPA 58.01.01.225. The following table presents the facility-wide change in the potential to emit for criteria pollutants.

Table 4 CHANGES IN POTENTIAL TO EMIT FOR REGULATED AIR POLLUTANTS

Emission Sources	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
	T/Yr	T/Yr	T/Yr	T/Yr	T/Yr	T/Yr
Pre-Project Totals	3.88	3.88	0.16	94.25	25.72	26.42
Post Project Totals	3.39	3.39	0.16	82.05	23.38	26.49
Changes in Potential to Emit	-0.49	-0.49	0	-12.2	-2.34	0.07

Toxic Air Pollutants (TAP) Emissions

The engines are regulated either by 40 CFR Part 60 Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines or by 40 CFR part 63 Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. This PTC will include the requirements from the above federal regulations. All engine TAP were considered in the federal regulations based on review of the preambles of the federal regulations. Therefore, in accordance with IDAPA 58.01.01.210.20, no further procedures for demonstrating compliance with engine TAP will be required.

Post Project HAP Emissions

The following table presents the post project potential to emit for HAP pollutants from all stationary combustion equipment at the facility based on the information in the SOB for PTC No. P-2013.0051 project 61270 issued on May 16, 2014 and the HAP emissions from the new Tier 4 interim, 394 hp generator.

Table 5 HAZARDOUS AIR POLLUTANTS EMISSIONS POTENTIAL TO EMIT SUMMARY

HAP	T/yr
Benzene	1.24E-01
Toluene	5.22E-02
Xylenes	3.63E-02
Formaldehyde	1.26E-01
Acetaldehyde	8.11E-02
Acrolein	9.95E-03
Naphthalene	1.32E-02
1,3-Butadiene	4.09E-03
Total HAP	0.45
Formaldehyde, Highest Individual HAP	1.26E-01

Ambient Air Quality Impact Analyses

No modeling is required as there is no emissions increase for PM₁₀, PM_{2.5}, SO₂, NO_x, and CO. The VOC emissions change is insignificant, and in addition, there is no available modeling method for VOC.

REGULATORY ANALYSIS

Attainment Designation (40 CFR 81.313)

The facility is located in Caribou County, which is designated as attainment or unclassifiable for PM_{2.5}, PM₁₀, SO₂, NO₂, CO, and Ozone. Refer to 40 CFR 81.313 for additional information.

Facility Classification

For this facility, the uncontrolled PTE is the same as the PTE because emissions from all emissions units are based on their rated capacity and operating hour of 8,760 hours per year. PTE for all regulated pollutants and HAP are below major source thresholds. The facility is a natural minor source.

“Natural Minor” classification for criteria pollutants and HAP is defined as the uncontrolled Potential to Emit for criteria pollutants and HAP are fall below the applicable major source thresholds.

Permit to Construct (IDAPA 58.01.01.201)

IDAPA 58.01.01.201 Permit to Construct Required

The permittee has requested that a PTC be issued to the facility for replacing the Tier 2, 388 hp emergency backup diesel generator with a Tier 4 interim, 394 hp emergency backup generator. Therefore, a PTC is required to be issued in accordance with IDAPA 58.01.01.220. This permitting action was processed in accordance with the procedures of IDAPA 58.01.01.200-228.

Tier II Operating Permit (IDAPA 58.01.01.401)

IDAPA 58.01.01.401 Tier II Operating Permit

The facility is not subject to IDAPA 58.01.01.400-410, and the applicant did not apply for a Tier II operating permit in accordance with IDAPA 58.01.01.401. This permitting action is not processed in accordance with the procedures of IDAPA 58.01.01.400-410.

Visible Emissions (IDAPA 58.01.01.625)

IDAPA 58.01.01.625 Visible Emissions

The sources of PM emissions at this facility are subject to the State of Idaho visible emissions standard of 20% opacity. This requirement is assured by Permit Conditions 2.5, 2.6, 2.9, and General Provisions No. 2.

Standards for Minor and Existing Sources (IDAPA 58.01.01.677)

IDAPA 58.01.01.677 Standards for New Sources

The permittee shall not discharge to the atmosphere from any fuel-burning equipment PM in excess of 0.015 grains per dry standard cubic foot (gr/dscf) of effluent gas corrected to 3% oxygen by volume for gas. Fuel-Burning Equipment is defined as any furnace, boiler, apparatus, stack and all appurtenances thereto, used in the process of burning fuel for the primary purpose of producing heat or power by indirect heat transfer. The propane boiler is subject to this requirement. This requirement is assured by Permit Condition 2.5.

Title V Classification (IDAPA 58.01.01.300, 40 CFR Part 70)

IDAPA 58.01.01.301 Requirement to Obtain Tier I Operating Permit

Post project facility-wide emissions from this facility do not have a potential to emit greater than 100 tons per year for PM₁₀/PM_{2.5}, SO₂, NO_x, CO, and VOC, 10 tons per year for any one HAP, or 25 tons per year for all HAP combined as demonstrated previously in the Emissions Inventories Section of this analysis. Therefore, the facility is not a Tier I source in accordance with IDAPA 58.01.01.006, and the requirements of IDAPA 58.01.01.301 do not apply.

PSD Classification (40 CFR 52.21)

40 CFR 52.21 Prevention of Significant Deterioration of Air Quality

The facility is not a major stationary source as defined in 40 CFR 52.21(b)(1), nor is it undergoing any physical change at a stationary source not otherwise qualifying under paragraph 40 CFR 52.21(b)(1) as a major stationary source, that would constitute a major stationary source by itself as defined in 40 CFR 52.21(b)(1). Therefore in accordance with 40 CFR 52.21(a)(2), PSD requirements are not applicable to this permitting action. The facility is not a designated facility as defined in 40 CFR 52.21(b)(1)(i)(a), and does not have facility-wide emissions of any criteria pollutant that exceed 250 T/yr.

NSPS Applicability (40 CFR 60)

40 CFR 60, Subpart III Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

Detailed analysis can be found in Appendix D of this document. The generators that are subject to the subpart are identified in the following table.

Table 6 STATIONARY COMBUSTION EQUIPMENT SUBJECT TO 40 CFR 60 SUBPART III

Generator Units (date construction commenced, 40 CFR §63.2)	Model Year	Construction Date (Order Date as Defined in 40 CFR 60.4200)	Engine Displacement	Subject to Subpart III?
One (1) Interim Tier 4 1,093 hp diesel generator (office/shop main generator)	2012	2013	27.03 (2.25 per cylinder)	Yes
One (1) Interim Tier 4, 67 hp diesel generator (shovel generator)	2011	2013	3	Yes
One (1) Tier 4 interim, 394 hp emergency back-up diesel generator (office/shop emergency back-up generator)	2013	2015	8.9	Yes
One (1) Tier 4 interim, 100 hp diesel generator (well pump generator)	2013	2013	4.5	Yes
Three (3) rental Tier 3, 315 hp diesel generators (stormwater/melt water pump engines)	2011 or newer	2013	6.8	Yes
Fifteen (15) diesel-fired light plants	---	---	---	---
18 or less kw each, stck 8 to stck 12 (five light plants)	2006	2007	1.335 or less	Yes
18 kw or less each, stck 13 to stck 15 (three light plants)	2005	2007	1.498 or less	No
18 kw or less each, stck 16 to stck 21 (six light plants)	2011	2010	1.5 or less	Yes
27 hp, stck 22 (one)	2003/prior to 2003	2003	Unknown	No
One (1) Tier 3, 97.9 hp diesel generator (dust suppressant generator)	2011	2012	3.0	Yes
One (1) Tier 3, 90 hp diesel generator (Kiewit contractor generator. 99.2 hp on the engine label)	2011	2011	4.5	Yes
One (1) 52 hp diesel generator (pit generator)	2005	2012	Unknown	No

NESHAP Applicability (40 CFR 61)

The facility is not subject to any NESHAP requirements in 40 CFR 61.

MACT Applicability (40 CFR 63)

40 CFR 63, Subpart ZZZZ.....National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

The engines at NRRM where construction commenced on or after June 12, 2006 are considered new stationary RICE in accordance with 40 CFR 63.6590(a)(2)(iii). New stationary RICE that are compression ignition engines located at an area source must meet the requirements of 40 CFR Part 63 Subpart ZZZZ by meeting the requirements of 40 CFR Part 60 Subpart IIII in accordance with 40 CFR 63.6590(c)(1). There are no further requirements for these engines under 40 CFR 63 Subpart ZZZZ.

Engines at NRRM where construction commenced before June 12, 2006 are existing RICE engines at an area source. These engines as listed in the following table must comply with requirements in 40 CFR 63 Subpart ZZZZ.

Detailed regulatory analysis can be found in Appendix D of the SOB.

Table 7 STATIONARY COMBUSTION EQUIPMENT SUBJECT TO REQUIREMENTS IN 40 CFR 63 SUBPART ZZZZ

Generator Units (date construction commenced, 40 CFR §63.2)	Model Year from Forms in the Application	Construction Date from Forms in the Application
Three (3) Diesel-fired light plants (Stck 13 to Stck 15, 18 kw/24 hp or less)	2005	2007
One (1) Diesel-fired light plants (Stck 22, 27 hp)	2003/Prior 2003	2003
One (1) 52 hp diesel generator	2005	2012

40 CFR 63, Subpart JJJJJNational Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources

§ 63.11193 Am I subject to this subpart?

The facility is subject to this subpart if the facility owns or operates an industrial, commercial, or institutional boiler as defined in 40 CFR 63.11237 that is located at, or is part of, an area source of hazardous air pollutants, as defined in 40 CFR 63.2, except as specified in 40 CFR 63.11195.

Per 40 CFR 63.11195(e), gas fired boilers, as defined in 40 CFR 63, Subpart JJJJJ, are not subject to any of the requirements in the subpart. A gas fired boiler is defined as any boiler that burns gaseous fuels not combined with any solid fuels, burns liquid fuels only during periods of gas curtailment, gas supply emergencies, or periodic testing on liquid fuel. The Peerless propane boiler meets this definition of a gas fired boiler and is therefore not subject to the requirements in this subpart.

Non-applicable

40 CFR 60, Subpart NN.....New Source Performance Standards (NSPS) for Phosphate Rock Plants

40 CFR Part 60, Subpart NN does not apply to the Rasmussen Ridge Mine. Although the Rasmussen Ridge Mine meets the definition of a Phosphate Rock Plant, Subpart NN does not apply since the mine does not utilize any of the affected facilities listed in 40 CFR 60.400(a)(2). Details are provided as follows:

As given by 40 CFR 60.400(a)(2), the provisions of this subpart apply to the following affected facilities used in phosphate rock plants which have a maximum plant production capacity greater than 4 tons/hr: dryers, calciners, grinders, and ground rock handling and storage facilities, except those facilities producing or preparing phosphate

rock solely for consumption in elemental phosphorus production. Note that the Rasmussen Ridge Mine does not utilize any of the affected facilities listed above.

As defined by 40 CFR 60.401(a), a Phosphate Rock Plant is any plant which produces or prepares phosphate rock product by any or all of the following processes: mining, beneficiation, crushing, screening, cleaning, drying, calcining, and grinding. The Rasmussen Ridge Mine meets the definition of a Phosphate Rock Plant since it produces/prepares phosphate rock by mining and screening.

40 CFR 60, Subpart OOO..... NSPS for Nonmetallic Mineral Processing Plants

The provisions of this subpart, as given by 40 CFR 60.670(a)(2), do not apply to facilities located in underground mines and stand-alone screening operations at plants without crushers or grinding mills. Therefore, this subpart does not apply to the Rasmussen Ridge Mine.

Permit Conditions Review

This section describes those permit conditions (PC) that have been added, revised, modified, or deleted as a result of this permitting action. The new text is bold. The deleted text appears as strike through text.

New Permit Conditions 1.1, 1.2, and 1.3

New PCs 1.1 through 1.3 state the purpose of this permitting action.

Table 1.1

Table 1.1 is revised to reflect the replacement of the backup emergency generator and to add the new information for the well pump generator provided by the applicant on 7/2/2015.

Permit Section	Source Description	Emissions Control(s)
2, 4 5	<p><u>Office/Shop Emergency Generator</u> <u>One (1) Tier 4 interim, 394 hp emergency back-up diesel generator</u> Manufacturer: Cummins Inc. Model: QSL9-G8 NR4 Engine Family; DCEXL08.9AAI Model Year: 2013 Installed Date: 2015 Maximum Rated Engine Power: 394 bhp Engine Displacement: 8.9 liters Ignition Type: Compression Use: Emergency back-up/non-emergency Fuel: ULSD Full Load Consumption Rate: 25.52 gal/hr</p>	Diesel particulate filter
2, 5	<p><u>Office/Shop Emergency Generator</u> <u>One (1) Tier 2, 388 hp emergency back-up diesel generator</u> Manufacturer: John Deere Model: 6081HF070 Engine Family; 5JDXL108.1037 Model Year: 2005 Installed Date: 2013 Maximum Rated Engine Power: 388 bhp Engine Displacement: 8.1 liters Ignition Type: Compression Use: Emergency back-up/non-emergency Fuel: ULSD Full Load Consumption Rate: 21.63 gal/hr</p>	None

Permit Section	Source Description	Emissions Control(s)
2, 4	<u>Well Pump Generator</u> One (1) Tier 34 interim, 100 hp diesel generator Manufacturer: John Deere TBD Model: 4045HFG92 TBD Engine Family: DJDXL04.5211 Model Year: 2013 Installed Date: 2014 TBD Maximum Rated Engine Power: 100 bhp Engine Displacement: 4.5 liters TBD Ignition Type: Compression Use: Non-emergency Fuel: ULSD Full Load Consumption Rate: 7.94 gal/hr TBD	Diesel particulate filter

No changes are made to Section 2 of the permit.

Permit Condition 3.4

“Weekly” was unintentionally used in the 3rd sentence of Permit Condition 3.4. It is corrected to “monthly”.

Table 4.2

Section 4 of the permit includes requirements of 40 CFR 60, Subpart IIII that are applicable to the engines at the facility. Detailed federal regulation analysis and explanations can be found in Appendix D of this document.

Table 4.2 of the permit has been revised to add the new Tier 4 interim, 394 hp emergency backup generator and the new information for the well pump generator provided by the applicant on 7/2/2015.

Generator Unit	Model Year	Engine Displacement (Liter)	Engine Size (kw)	Emissions Standards and 40 CFR Citations
One (1) Tier 4, 1093 hp diesel generator	2012	27.03 (2.25 liters/cylinder)	816	Table 7 of 40 CFR 1039.102
One (1) Tier 4, 67 hp diesel generator	2011	3	50	Table 3 of 40 CFR 1039.102
Three (3) Rental Tier 3, 315 hp diesel generators	2011 or newer	6.8	235	Table 6 of 40 CFR 1039.102 (Table 1 of 40 CFR 1039.101 for after 2014 model year)
One (1) Tier 4 interim 394 hp emergency back-up diesel generator	2013	8.9	294	Table 6 of 40 CFR 1039.102
Six (6) 18 kw or less diesel-fired light plants with the IDs of Stck 16 to Stck 21	2011	1.5 or less	18 or less	Table 1 of 40 CFR 1039.102
One (1) Tier 3, 97.9 hp diesel generator	2011	3.0	73	Table 4 of 40 CFR 1039.102
One (1) Tier 3, 90 hp diesel generator (99.2 hp on the engine label)	2011	4.5	74	Table 4 of 40 CFR 1039.102
One (1) Tier 4 interim 3, 100 hp diesel generator	2013	4.5 TBD (<10 liters/cylinder)	75	Table 5 of 40 CFR 1039.102

New Permit Conditions 4.7 and 4.10

As provided in the applicant's 7/2/2015 email, the Tier 4 interim, 394 hp emergency backup diesel generator and the Tier 4 interim 100 hp well pump generator are equipped with a diesel particulate filter. Therefore, the two engines are subject to the monitoring requirements in 40 CFR 60.4029(b) and the notification requirements in 40 CFR 60.4214(c).

Section 5 40 CFR 63 Subpart ZZZZ

Section 5 of the permit includes requirements of 40 CFR 63, Subpart ZZZZ that are applicable to the engines at the facility. Detailed federal regulation analysis and explanations can be found in Appendix D of this document.

As a result of replacing the Tier 2, 388 hp emergency backup diesel generator with the new Tier 4 interim emergency backup generator, the requirements in 40 CFR 63 Subpart ZZZZ that only apply to the Tier 2, 388 hp emergency backup diesel generator have been removed. The removed requirements are:

- Item 2 in Table 2d to 40 CFR 63 Subpart ZZZZ under Permit Condition 5.5
- Table 5.2 under Permit Condition 5.5
- Permit Conditions 5.6, 5.8, 5.9, and 5.12 of the old PTC No. P-2013.0051 project 61270 issued on May 16, 2014
- Second bullet, requirements under 40 CFR 63.6625(g), in old Permit Condition 5.10 of the old PTC No. P-2013.0051 project 61270 issued on May 16, 2014
- Requirements under 40CFR 63.6655(a)(1) and (a)(3) in old Permit Condition 5.13 of the old PTC No. P-2013.0051 project 61270 issued on May 16, 2014.

General Provisions in Section 6 are updated using the ones in the current PTC template.

PUBLIC REVIEW

Public Comment Opportunity

Because this permitting action does not authorize an increase in emissions and because the VOC emissions change is insignificant, an opportunity for public comment period was not required or provided in accordance with IDAPA 58.01.01.209.04.

APPENDIX A – EMISSIONS FROM THE TIER 4 INTERIM EMERGENCY BACKUP GENERATOR

Back Up generator (Replacing Stack 5 Electrical Generator)								
unit size	394	HP	293.8	kW				
Operation	8760	hours/yr						
Pollutant	EF/Units		Source	Emission s (lb/HR)	(T/yr)	(lb/hp- hr)	Emission s (lb/HR)	(T/yr)
Total NOx (as NO2)	1.7 g/kW-hr		Emissions Certificate	1.10	4.81			
PM	0.002 g/kW-hr		Emissions Certificate	0.00	0.01			
CO	0.02 g/kW-hr		Emissions Certificate	0.01	0.06			
SOx ²	1.09E-05 lb/hp-hr					1.09E-05	4.29E-03	1.88E-02
VOC (TOC)	2.51E-03 lb/hp-hr		AP-42 Table 3.3-1			2.51E-03	9.91E-01	4.34E+00
Assumptions: ² SO ₂ Emissions Factor: 7,000 Btu/hp*hr X lb fuel/19,300 Btu X 15 lb S/1,000,000lb fuel X 2 lb SO ₂ /lb S= 1.09 E-05 lb SO ₂ /hp								
1 gram =	0.0022 lb							
1 HP=	1.341022 kW							
Engine Family	DCEXL08.9AAI							
Model Year	2013							

APPENDIX B – FACILITY DRAFT COMMENTS

The following comments were received from the facility on July 2 and July 9, 2015:

The applicant provided the information requested by DEQ. The information is included in the permit and statement of basis.

Facility Comment: The applicant requested to correct “weekly” in Permit Condition 3.4 to “monthly”

DEQ Response: The change is made.

APPENDIX C – PROCESSING FEE

Pollutant	Post Project Annual Emissions (T/yr)	Pre-project Annual Emissions (T/yr)	Annual Emissions Change (T/yr)
NO _x	94.25	82.05	34.15
SO ₂	0.16	0.16	-4.79
CO	25.72	23.38	16.92
PM ₁₀	3.88	3.39	0.26
VOC	26.42	26.49	23.12
TAPS/HAPS	<1	< 1	<1
Total:	150.43	135.47	-14.96
Fee Due	\$ 1,000.00		

APPENDIX D- FEDERAL REGULATION ANALYSIS

APPENDIX D.1– 40 CFR 60, SUBPART IIIII

ELECTRONIC CODE OF FEDERAL REGULATIONS

e-CFR Data is current as of November 21, 2013

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Title 40: Protection of Environment
PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES (Agrium)

Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

(Note: The applicable requirements are highlighted followed with explanations in underline/blue/italic.)

SOURCE: 71 FR 39172, July 11, 2006, unless otherwise noted.

WHAT THIS SUBPART COVERS

§60.4200 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

- (i) 2007 or later, for engines that are not fire pump engines;
- (ii) The model year listed in Table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:

- (i) Manufactured after April 1, 2006, and are not fire pump engines, or

Analysis:

All engines meet 40 CFR 60.4200(a)(2)(i) and subject to this subpart except for five engines that are crossed out in the following table.

Generator Units	Model Year (Manufactured Year)	Commence Construction (Ordered Year)
One (1) Tier 4, 1093 hp diesel generator	2012	2013
One (1) Tier 4, 67 hp diesel generator	2011	2013
One (1) Tier 4i, 394 hp emergency back-up diesel generator	2013	2015
One (1) Tier 4i, 100 hp diesel generator	2013	2013 (ordered in 2013 and installed in 2014)
Three (3) Rental Tier 3, 315 hp diesel generators	2011 or newer	2013
Diesel-fired light plants	---	---
18 kw or less each, Stck 8 to Stck 12 (five)	2006	2007
18 kw each, Stck 13 to Stck 15 (three)	2005	2007
18 kw each, Stck 16 to Stck 21 (six)	2011	2010
27 hp, Stck 22 (one)	2003 or before	2003
One (1) Tier 3, 97.9 hp diesel generator	2012	2012
One (1) Tier 3, 90 hp diesel generator	2011	2011
One (1) 52 hp diesel generator	2005	2012

Three 18 kw diesel-fired light plants (stcks 13, 14, and 15) with model year of 2005 are not manufactured after 4/1/2006 and do not meet the criteria in 40 CFR 60.4200(a)(2)(i).

The 27 hp diesel-fired light plant (Stck 22) that commenced construction in 2003 is not manufactured after 4/1/2006 and does not meet the criteria in 40 CFR 60.4200(a)(2)(i).

One 52 hp diesel generator (stck 24) with model year of 2005 is not manufactured after 4/1/2006 and does not meet the criteria in 40 CFR 60.4200(a)(2)(i).

Five 18 kw diesel-fired light plants (stcks 8 through 12) have model year of 2006. The application does not provide the information on whether they are manufactured after 4/1/2006 or not. It is assumed that the engines were manufactured after April 1, 2006 and meet the criteria in 40 CFR 60.4200(a)(2)(i).

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of any stationary CI ICE that are modified or reconstructed after July 11, 2005 and any person that modifies or reconstructs any stationary CI ICE after July 11, 2005.

(4) The provisions of §60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

According to the information in the application for the PTC No. P-2013.0051 project 61270 issued on May 16, 2014, the 27 hp diesel-fired light plant was commence construction in 2003 before 7/11/2005; therefore it is not subject to the provisions of 40 CFR 60.4208. All other engines are subject to this requirement.

Generator Units	Model Year (Manufactured Year)	Commence Construction (Ordered Year)
One (1) Tier IV 1,093 hp diesel generator	2012	2013
One (1) Tier IV, 67 hp diesel generator	2011	2013
One (1) Tier 4i, 394 hp emergency back-up diesel generator	2013	2015
One (1) Tier 4i, 100 hp diesel generator	2013	2013 (ordered in 2013 and installed in 2014)
Three (3) Rental Tier III 315 hp diesel generators	2011 or newer	2013
Diesel-fired light plants	---	---
18 kw each, Stck 8 to Stck 12 (five)	2006	2007
18 kw each, Stck 13 to Stck 15 (three)	2005	2007
18 kw each, Stck 16 to Stck 21 (six)	2011	2010
27 hp, Stck 22 (one)	2003 or before	2003
One (1) Tier III, 97.9 hp diesel generator	2012	2012
One (1) Tier III, 90 hp diesel generator	2012	2011
One (1) 52 hp diesel generator	2005	2012

(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as

described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR part 89, subpart J and 40 CFR part 94, subpart J, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

(e) Owners and operators of facilities with CI ICE that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011]

EMISSION STANDARDS FOR MANUFACTURERS

§60.4201 What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine manufacturer?

§60.4202 What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?

§60.4203 How long must my engines meet the emission standards if I am a manufacturer of stationary CI internal combustion engines?

NRRM is not an engine manufacturer. These sections do not apply.

EMISSION STANDARDS FOR OWNERS AND OPERATORS

§60.4204 What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of less than 10 liters per cylinder must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder must comply with the emission standards in 40 CFR 94.8(a)(1).

Five 18 kw diesel-fired light plants (stcks 8 to 12) are with 2006 model year and displacement of less than 10 liters per cylinder and subject to the emission standards in table 1 to this subpart.

Generator Units	Model Year	Commence Construction (Order Year)	Displacement
Five (5) Diesel-fired light plants, 18 kw each (Stck 8 to Stck 12)	2006	2007	1.335 liters or less

Table 1 to the Subpart Emissions limits

Maximum engine power	NMHC + NO _x	CO	PM
	g/KW-hr (g/HP-hr)		
8 ≤ KW < 19 (11 ≤ HP < 25)	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in §60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

Engines in the following table are subject to the emission standards for new CI engines in §60.4201 for their 2007 model year and later stationary CI ICE.

Generator Units	Model Year	Engine Displacement (Liter)	Maximum Engine Power (kW)
One (1) Tier 4, 1093 hp diesel generator	2012	27.03 (2.25 per cylinder)	815
One (1) Tier 4, 67 hp diesel generator	2011	3	50
Three (3) Rental Tier 3, 315 hp diesel generators	2011 or newer	6.8	235
Six (6) 18 kw diesel-fired light plants with the IDs of Stck 16 to Stck 21	2011	1.5 or less	18
One (1) Tier 3, 97.9 hp diesel generator	2011	3.0	73
One (1) Tier III, 90 hp diesel generator (The engine label shows 99.2 hp)	2011	4.5	74
One (1) Tier 4i, 100 hp diesel generator	2013	4.5	75
One (1) Tier 4i 394 hp emergency back-up diesel generator	2013	8.9	294

§60.4201 What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 kilowatt (KW) (3,000 horsepower (HP)) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 89.112, 40 CFR 89.113, 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same model year and maximum engine power.

The following are the emission standards for new CI engines in §60.4201 for their 2007 model year and later stationary CI ICE that was submitted by Agrium (NRRM) on 1/9/2014 for

PTC P-2013.0051 project 61270 issued on May 16, 2014:

40 CFR 89.112 (Not Applicable)

PART 89—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES
Subpart B—Emission Standards and Certification Provisions

40 CFR 89.113

PART 89—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES
Subpart B—Emission Standards and Certification Provisions

§89.113 Smoke emission standard.

(a) Exhaust opacity from compression-ignition non-road engines for which this subpart is applicable must not exceed:

- (1) 20 percent during the acceleration mode;
- (2) 15 percent during the lugging mode; and
- (3) 50 percent during the peaks in either the acceleration or lugging modes.

(b) Opacity levels are to be measured and calculated as set forth in 40 CFR part 86, subpart I. Notwithstanding the provisions of 40 CFR part 86, subpart I, two-cylinder non-road engines may be tested using an exhaust muffler that is representative of exhaust mufflers used with the engines in use.

(c) The following engines are exempt from the requirements of this section:

- (1) Single-cylinder engines;
- (2) Propulsion marine diesel engines; and
- (3) Constant-speed engines.

40 CFR 1039.101

PART 1039—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES
Subpart B—Emission Standards and Related Requirements

§1039.101 What exhaust emission standards must my engines meet after the 2014 model year?

The exhaust emission standards of this section apply after the 2014 model year. Certain of these standards also apply for model year 2014 and earlier. This section presents the full set of emission standards that apply after all the transition and phase-in provisions of §1039.102 and §1039.104 expire. See §1039.102 and 40 CFR 89.112 for exhaust emission standards that apply to 2014 and earlier model years. Section 1039.105 specifies smoke standards.

Table 1 of §1039.101—Tier 4 Exhaust Emission Standards After the 2014 Model Year, g/kW-hr¹

Maximum engine power	Application	PM	NO _x	NMHC	NO _x +NMHC	CO
kW <19	All	² 0.40			7.5	³ 6.6
19 ≤kW <56	All	0.03			4.7	⁴ 5.0
56 ≤kW <130	All	0.02	0.40	0.19		5.0
130 ≤kW ≤560	All	0.02	0.40	0.19		3.5
	Generator sets	0.03	0.67	0.19		3.5

kW >560	All except generator sets	0.04	3.5	0.19		3.5
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¹Note that some of these standards also apply for 2014 and earlier model years. This table presents the full set of emission standards that apply after all the transition and phase-in provisions of §1039.102 expire.

²See paragraph (c) of this section for provisions related to an optional PM standard for certain engines below 8 kW.

³The CO standard is 8.0 g/kW-hr for engines below 8 kW.

⁴The CO standard is 5.5 g/kW-hr for engines below 37 kW.

40 CFR 1039.102

PART 1039—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES
Subpart B—Emission Standards and Related Requirements

§1039.102 What exhaust emission standards and phase-in allowances apply for my engines in model year 2014 and earlier?

The exhaust emission standards of this section apply for 2014 and earlier model years...See 40 CFR 89.112 for exhaust emission standards that apply to model years before the standards of this part 1039 takes effect. Applicable certification emission standards are cited in the table below.

Generator Units	Model Year	Engine Displacement (Liters)	Engine Size (kw)	Emission Standards with specific 40 CFR citations				
				Maximum engine power	Model Years	PM	NOx + NMHC	CO
One (1) interim Tier 4, 1093 hp diesel generator	2012	27.03, V-12 (2.25 Liters/cylinder)	815	TABLE 7	TABLE 7	TABLE 7	TABLE 7	TABLE 7
One (1) interim Tier 4, 67 hp diesel generator	2011	3	50	TABLE 3	TABLE 3	TABLE 3	TABLE 3	TABLE 3
One (1) Tier 4i, 100 hp diesel generator	2013	4.5	75	TABLE 5	TABLE 5	TABLE 5	TABLE 5	TABLE 5
Three (3) Rental Tier 3 315 hp diesel generators	2011 or newer	6.8	235	TABLE 6	TABLE 6	TABLE 6	TABLE 6	TABLE 6
Six (6) diesel-fired light plants 18 kw each, Stck 16 to Stck 21	2011	1.5 or less	18	TABLE 1	TABLE 1	TABLE 1	TABLE 1	TABLE 1
One (1) Tier 3, 97.9 hp diesel generator	2011	3.0	73	TABLE 4	TABLE 4	TABLE 4	TABLE 4	TABLE 4
One (1) Tier 3, 90 hp diesel generator (the engine label shows 99.2 hp)	2011	4.5	74	TABLE 4	TABLE 4	TABLE 4	TABLE 4	TABLE 4
One (1) Tier 4i 394 hp emergency back-up diesel generator	2013	8.9	294	Table 6	Table 6	Table 6	Table 6	Table 6

TABLE 7 OF §1039.102—INTERIM TIER 4 EXHAUST EMISSION STANDARDS (G/KW-HR): kW >560

Model years	Maximum engine power	Application	PM	NO _x	NMHC	CO
2011-2014	560 <kW ≤900 (One (1) Tier IV 1,093 hp diesel generator)	All	0.10	3.5	0.40	3.5

TABLE 3 OF §1039.102 - INTERIM TIER 4 EXHAUST EMISSION STANDARDS (G/KW-HR): 37 ≤ KW < 56
TABLE 3 OF §1039.102—INTERIM TIER 4 EXHAUST EMISSION STANDARDS (G/KW-HR): 37 ≤kW <56

Option ¹	Model years	PM	NO _x + NMHC	CO
#1	2008-2012	0.30	4.7	5.0

You may certify engines to the Option #1 or Option #2 standards starting in the listed model year. Under Option #1, all engines at or above 37 kW and below 56 kW produced before the 2013 model year must meet the applicable Option #1 standards in this table. These engines are considered to be "Option #1 engines."

TABLE 5 OF §1039.102—INTERIM TIER 4 EXHAUST EMISSION STANDARDS (G/KW-HR): 75 ≤kW <130

Model years ¹	Phase-in option	PM	NO _x	NMHC	NO _x + NMHC	CO
2012-2013	Phase-in	0.02	0.40	0.19		5.0
	Phase-out	0.02			4.0	5.0
2014	All engines	0.02	0.40	0.19		5.0

¹See paragraph (d)(2) of this section for provisions that allow for a different phase-in schedule than that specified in paragraph (c)(1) of this section.

TABLE 6 OF §1039.102—INTERIM TIER 4 EXHAUST EMISSION STANDARDS (G/KW-HR): 130 ≤kW <560

Model years ¹	Phase-in option	PM	NO _x	NMHC	NO _x + NMHC	CO
2011-2013	Phase-in	0.02	0.40	0.19		3.5
	Phase-out	0.02			4.0	3.5
2014	All engines	0.02	0.40	0.19		3.5

TABLE 1 OF §1039.102—TIER 4 EXHAUST EMISSION STANDARDS (G/KW-HR): kW <19

Maximum engine power	Model years	PM	NO _x + NMHC	CO
8 ≤kW <19	2008-2014	0.40	7.5	6.6

TABLE 4 OF §1039.102—INTERIM TIER 4 EXHAUST EMISSION STANDARDS (g/kW-HR): 56 ≤kW <75

Model years ¹	Phase-in option	PM	NO _x	NMHC	NO _x + NMHC	CO
2012-2013	Phase-in	0.02	0.40	0.19		5.0
	Phase-out	0.02			4.7	5.0

¹See paragraph (d)(2) of this section for provisions that allow for a different phase-in schedule than that specified in paragraph (c)(1) of this section.

(d) *Banked credits and alternate phase-in for 56-130 kW engines.* For engines in the 56-130 kW power category, you may use only one of the following additional provisions

2) Engines certified to the phase-out standards in Tables 4 through 6 of this section must comply with all other requirements that apply to Tier 4 engines, except as otherwise specified in this section.

40 CFR 1039.104 (Not Applicable)

PART 1039—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES

Subpart B—Emission Standards and Related Requirements

§1039.104 Are there interim provisions that apply only for a limited time?

Describes interim provisions for manufacturing generators; Not applicable to owners

40 CFR 1039.105

PART 1039—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES

Subpart B—Emission Standards and Related Requirements

§1039.105 What smoke standards must my engines meet?

(a) The smoke standards in this section apply to all engines subject to emission standards under this part, except for the following engines:

3) Engines certified to a PM emission standard or FEL of 0.07 g/kW-hr or lower.

40 CFR 1039.107 (Not Applicable)

PART 1039—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES

Subpart B—Emission Standards and Related Requirements

§1039.107 What evaporative emission standards and requirements apply?

There are no evaporative emission standards for diesel-fueled engines, or engines using other nonvolatile or nonliquid fuels (for example, natural gas). If your engine uses a volatile liquid fuel, such as methanol, you must meet the evaporative emission requirements of 40 CFR part 1048 that apply to spark-ignition engines, as follows:

40 CFR 1039.115 (Not Applicable)

PART 1039—CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES

§1039.115 What other requirements apply?

Describes different requirements when the equipment is being designed, manufactured and tested by the manufacture

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 through 2010 model year non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power. *Does not apply. NRRM engines are less than 3000 hp.*

(c) Stationary CI internal combustion engine manufacturers must certify their 2011 model year and later non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same maximum engine power. *Does not apply. NRRM engines are less than 3000 hp.*

(d) Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the certification emission standards for new marine CI engines in 40 CFR 94.8, as applicable, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2007 model year through 2012 non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder;

Does not apply. Each NRRM engine with less than 10 liters per cylinder.

40 CFR 94

§94.8 Exhaust emission standards

PART 94—CONTROL OF EMISSIONS FROM MARINE COMPRESSION-IGNITION ENGINES
Subpart A—General Provisions for Emission Regulations for Compression-Ignition Marine Engines

Table A-1—Primary Tier 2 Exhaust Emission Standards (g/kW-hr)

(2) *Tier 2 standards.* (i) Exhaust emissions from marine compression-ignition engines shall not exceed the applicable Tier 2 exhaust emission standards contained in Table A-1 as follows:

Engine Size liters/cylinder, rated power	Category	Model year ^a	THC+NO _x g/kW-hr	CO g/kW-hr	PM g/kW-hr
25.0 ≤ disp. <30.0 all power levels	Category 2	2007	11.0	5.0	0.50

^aThe model years listed indicate the model years for which the specified standard start.

(2) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power greater than or equal to 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and Does not apply. NRRM engines are less than 4,958 HP.

(3) Their 2013 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 15 liters per cylinder and less than 30 liters per cylinder. Does not apply. The one Tier 4i 100 hp diesel generator and one Tier 4i, 394 hp emergency back-up diesel generator have model year of 2013 but with less than 10 liters per cylinder. Other NRRM engines are not 2013 model and less than 15 liters per cylinder.

Stationary CI internal combustion engine manufacturers must certify the following non-emergency stationary CI ICE to the certification emission standards and other requirements for new marine CI engines in 40 CFR 1042.101, 40 CFR 1042.107, 40 CFR 1042.110, 40 CFR 1042.115, 40 CFR 1042.120, and 40 CFR 1042.145, as applicable, for all pollutants, for the same displacement and maximum engine power:

(1) Their 2013 model year non-emergency stationary CI ICE with a maximum engine power less than 3,700 KW (4,958 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 15 liters per cylinder; and

(2) Their 2014 model year and later non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Does not apply. All NRRM engines are less than 10 liters per cylinder.

(f) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary non-emergency CI ICE identified in paragraphs (a) and (c) may be certified to the provisions of 40 CFR part 94 or, if Table 1 to 40 CFR 1042.1 identifies 40 CFR part 1042 as being applicable, 40 CFR part 1042, if the engines will be used solely in either or both of the following locations:

(1) Areas of Alaska not accessible by the Federal Aid Highway System (FAHS); and Does not apply.

(2) Marine offshore installations. Does not apply.

(g) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (e) of this section that are applicable to the model year, maximum engine power, and displacement of the reconstructed stationary CI ICE. Does not apply.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011]

(c) Owners and operators of non-emergency stationary CI engines with a displacement of greater than or equal to 30 liters per cylinder must meet the following requirements:

Does not apply. All NRRM engines are less than 10 liters per cylinder.

d) Owners and operators of non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the not-to-exceed (NTE) standards as indicated in §60.4212. NRRM has chosen not to do the test.

(e) Owners and operators of any modified or reconstructed non-emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed non-emergency stationary CI ICE that are specified in paragraphs (a) through (d) of this section. NRRM does not have modified or reconstructed non-emergency stationary CI ICE. This does not apply.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011]

§60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

.....

Does not apply.

§60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 over the entire life of the engine.

[Apply to the engines subject to emission standards as required in 40 CFR 60.4204.](#)

[76 FR 37969, June 28, 2011]

FUEL REQUIREMENTS FOR OWNERS AND OPERATORS

§60.4207 What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

(a) Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(a).

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

[Here are the requirements of 40 CFR 80.510\(b\):](#)

(b) *Beginning June 1, 2010.* Except as otherwise specifically provided in this subpart, all NR and LM diesel fuel is subject to the following per-gallon standards:

(1) Sulfur content.

(i) 15 ppm maximum for NR diesel fuel.

(ii) 500 ppm maximum for LM diesel fuel.

(2) Cetane index or aromatic content, as follows:

(i) A minimum cetane index of 40; or

(ii) A maximum aromatic content of 35 volume percent.

[Apply to the NRRM engines subject to this subpart.](#)

(c) [Reserved]

(d) Beginning June 1, 2012, owners and operators of stationary CI ICE subject to this subpart with a displacement of greater than or equal to 30 liters per cylinder are no longer subject to the requirements of paragraph (a) of this section, and must use fuel that meets a maximum per-gallon sulfur content of 1,000 parts per million (ppm).

[Does not apply. NRRM engines have displacements less than 30 liters per cylinder.](#)

(e) Stationary CI ICE that have a national security exemption under §60.4200(d) are also exempt from the fuel requirements in this section. [Does not apply. NRRM's engines do not have a national security exemption.](#)

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013]

OTHER REQUIREMENTS FOR OWNERS AND OPERATORS

§60.4208 What is the deadline for importing or installing stationary CI ICE produced in previous model years?

All NRRM engines are subject to this requirement except for the 27 hp diesel-fired light plant in accordance with 40 CFR 60.4200 (a)(4).

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

The Tier 4i, 394 hp emergency backup diesel generator is subject to this requirement because it meets 40 CFR 60.4200(a)(4) criteria. Tier 4i, 394 hp emergency backup diesel generator is ordered in 2015 with 2013 model year and an engine displacement of 8.9.

(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.

Six 18 kw diesel-fired light plants ordered in 2010 are subject to this requirement. The engines are 2011 model engines. The engine needs to be certified that meet/exceed the applicable requirements for 2008 model year engines.

(c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.

Does not apply. NRRM has not installed engines of this size after Dec 31, 2014

(d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.

The Tier4i ordered in 2013 is subject to this requirement. The engine is 2013 model engine and was installed June 2014. The engine needs to be certified that meet/exceeds the applicable requirements for 2012 model year engines.

(e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.

This applies to three rental Tier III 315 hp diesel generators.

(f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.

(g) After December 31, 2018, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power greater than or equal to 600 KW (804 HP) and less than 2,000 KW (2,680 HP) and a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that do not meet the applicable requirements for 2017 model year non-emergency engines.

(h) In addition to the requirements specified in §§60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (g) of this section after the dates specified in paragraphs (a) through (g) of this section.

(i) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

§60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in §60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine.

Does not apply. NRRM Tier 4i, 394 hp emergency back-up diesel generator does not meet the criteria in 40 CFR 60.4200(a)(2)(i).

(b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in §60.4204, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

This applies to NRRM Tier 4i, 394hp emergency back-up diesel generator and the Tier 4i 100hp well pump generator as each engine is equipped with a diesel particulate filter.

COMPLIANCE REQUIREMENTS

§60.4210 What are my compliance requirements if I am a stationary CI internal combustion engine manufacturer?

The applicant is not a manufacturer. This section does not apply.

§60.4211 What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.

NRRM engines are not subject to these subparts.

(b) If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in §§60.4204(a) or 60.4205(a), or if you are an owner or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.

Five 18 kw diesel-fired light plants (stcks 8 to 12) have model year of 2006 and are subject to 40 CFR 60.4204(a).

Generator Units	Model Year	Commence Construction (Order Year)	Engine Displacement (Liters)
Five (5) Diesel-fired light plants, 18 kw each (Stck 8 to Stck 12)	2006	2007	1.335 or less

1) Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in §60.4212, as applicable.

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must comply by purchasing an engine certified to the emission standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section.

The following NRRM engines are subject to 40 CFR 60.4204(b).

Generator Units	Model Year	Engine Displacement (Liters)	Engine Size (kw)
One (1) Interim Tier 4, 1093 hp diesel generator	2012	27.03 (2.25 liters/cylinder)	816
One (1) Interim Tier 4, 67 hp diesel generator	2011	3	50
One (1) Tier 4i, 100 hp diesel generator	2013	4.5	75
Three (3) Rental Tier 3 315 hp diesel generators	2011 or newer	6.8	235
Six (6) diesel-fired light plants 18 kw each, Stck 16 to Stck 21	2011	1.5 or less	18
One (1) Tier 3, 97.9 hp diesel generator	2011	3.0	73
One (1) Tier 3, 90 hp diesel generator (99.2 hp on engine label)	2011	4.5	74
One (1) Tier 4i, 394 hp emergency back-up diesel generator	2013	8.9	294

(d) If you are an owner or operator and must comply with the emission standards specified in §60.4204(c) or §60.4205(d), you must demonstrate compliance according to the requirements specified in paragraphs (d)(1) through (3) of this section.

No NRRM engines are subject to 40 CFR 60.4204(c).

(e) If you are an owner or operator of a modified or reconstructed stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(e) or §60.4205(f), you must demonstrate compliance according to one of the methods specified in paragraphs (e)(1) or (2) of this section.

....

Does not apply. NRRM engines are not subject to emission standards specified in §60.4204(e) or §60.4205(f).

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

.....

Does not apply. NRRM's Tier 4i, 394 hp emergency back-up diesel generator does not meet the definition of emergency stationary ICE for this subpart.

(g) If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

The requirement will not be spelled out in the permit, But the permit will state that the permittee shall comply with the requirements and refer to the CFR for details.

(1) If you are an owner or operator of a stationary CI internal combustion engine with maximum engine power less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, if you do not install and configure the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.

(2) If you are an owner or operator of a stationary CI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer.

(3) If you are an owner or operator of a stationary CI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013]

TESTING REQUIREMENTS FOR OWNERS AND OPERATORS

§60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (e) of this section.

If the applicant choose to comply with §60.4211(g), the applicant shall comply with this section.

The requirement will not be spelled out in the permit, But the permit will state that the permittee shall comply with the requirements and refer to the CFR for details.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad (\text{Eq. 1})$$

Where:

STD = The standard specified for that pollutant in 40 CFR 89.112 or 40 CFR 94.8, as applicable.

Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8 may follow the testing procedures specified in §60.4213 of this subpart, as appropriate.

(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in §60.4204(a), §60.4205(a), or §60.4205(c), determined from the equation in paragraph (c) of this section.

Where:

STD = The standard specified for that pollutant in §60.4204(a), §60.4205(a), or §60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) may follow the testing procedures specified in §60.4213, as appropriate.

(e) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 CFR 1042.101(c).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011]

§60.4213 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

...

This section does not apply. Engines at NRRM have a displacement less than 30 liters per cylinder.

NOTIFICATION, REPORTS, AND RECORDS FOR OWNERS AND OPERATORS

§60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of non-emergency stationary CI ICE that are greater than 2,237 KW (3,000 HP), or have a displacement of greater than or equal to 10 liters per cylinder, or are pre-2007 model year engines that are greater than 130 KW (175 HP) and not certified, must meet the requirements of paragraphs (a)(1) and (2) of this section.

Does not apply. NRRM engines do not have displacements greater than 10 liters per cylinder.

(1) Submit an initial notification as required in §60.7(a)(1). The notification must include the information in paragraphs (a)(1)(i) through (v) of this section.

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

Does not apply. NRRM's Tier 4i, 394 hp emergency back-up diesel generator does not meet the definition of emergency stationary ICE for this subpart. .

(c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

This section applies to Tier 4i, 394 hp emergency back-up generator and Tier 4i 100 hp well pump generator as they are equipped with a diesel particulate filter.

(d) If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §60.4211(f)(2)(ii) and (iii) or that operates for the purposes specified in §60.4211(f)(3)(i), you must submit an annual report according to the requirements in paragraphs (d)(1) through (3) of this section.

.....
Does not apply. NRRM's Tier 4i, 394 hp emergency back-up diesel generator does not meet the definition of emergency stationary ICE for this subpart.

[71 FR 39172, July 11, 2006, as amended at 78 FR 6696, Jan. 30, 2013]

SPECIAL REQUIREMENTS

§60.4215 What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?

Does not apply; not at these locations.

§60.4216 What requirements must I meet for engines used in Alaska?

Does not apply; not at Alaska.

§60.4217 What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?

Does not apply; not using special fuels.

Owners and operators of stationary CI ICE that do not use diesel fuel may petition the Administrator for approval of alternative emission standards, if they can demonstrate that they use a fuel that is not the fuel on which the manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in §60.4204 or §60.4205 using such fuels and that use of such fuel is appropriate and reasonably necessary, considering cost, energy, technical feasibility, human health and environmental, and other factors, for the operation of the engine.

Does not apply; NRRM engines use diesel fuel.

[76 FR 37972, June 28, 2011]

GENERAL PROVISIONS

§60.4218 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

The permit will refer to this section and will not spell out the details.

DEFINITIONS

§60.4219 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.

Certified emissions life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for certified emissions life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for certified emissions life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 94.9(a).

Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Date of manufacture means one of the following things:

(1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.

(2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.

(3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

Emergency stationary internal combustion engine means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in §60.4211(f) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in §60.4211(f), then it is not considered to be an emergency stationary ICE under this subpart.

(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.

(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in §60.4211(f).

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in §60.4211(f)(2)(ii) or (iii) and §60.4211(f)(3)(i).

Engine manufacturer means the manufacturer of the engine. See the definition of “manufacturer” in this section.

Fire pump engine means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.

Freshly manufactured engine means an engine that has not been placed into service. An engine becomes freshly manufactured when it is originally produced.

Installed means the engine is placed and secured at the location where it is intended to be operated.

Manufacturer has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.

Model year means the calendar year in which an engine is manufactured (see “date of manufacture”), except as follows:

(1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see “date of manufacture”), if the annual new model production period is different than the calendar year and includes January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year.

(2) For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was manufactured (see “date of manufacture”).

Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

Reciprocating internal combustion engine means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.

Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

Spark ignition means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating

characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Subpart means 40 CFR part 60, subpart IIII.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37972, June 28, 2011; 78 FR 6696, Jan. 30, 2013]

Table 1 to Subpart IIII of Part 60—Emission Standards for Stationary Pre-2007 Model Year Engines With a Displacement of <10 Liters per Cylinder and 2007-2010 Model Year Engines >2,237 KW (3,000 HP) and With a Displacement of <10 Liters per Cylinder

[As stated in §§60.4201(b), 60.4202(b), 60.4204(a), and 60.4205(a), you must comply with the following emission standards]

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007-2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NO _x	HC	NO _x	CO	PM
KW<8 (HP<11)	10.5 (7.8)			8.0 (6.0)	1.0 (0.75)
8≤KW<19 (11≤HP<25) <i>Five (5) 18 kw Diesel-fired light plants are subject to these limits (Stck 8 to Stck 12)</i>	9.5 (7.1)			6.6 (4.9)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	9.5 (7.1)			5.5 (4.1)	0.80 (0.60)
37≤KW<56 (50≤HP<75)			9.2 (6.9)		
56≤KW<75 (75≤HP<100)			9.2 (6.9)		
75≤KW<130 (100≤HP<175)			9.2 (6.9)		
130≤KW<225 (175≤HP<300)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225≤KW<450 (300≤HP<600)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

KW>560 (HP>750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
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Table 2 to Subpart IIII of Part 60—Emission Standards for 2008 Model Year and Later Emergency Stationary CI ICE <37 KW (50 HP) With a Displacement of <10 Liters per Cylinder

Does not apply. NRRM's Tier 4i, 394 hp emergency back-up diesel generator does not meet the definition of emergency stationary ICE for this subpart. .

Table 3 to Subpart IIII of Part 60—Certification Requirements for Stationary Fire Pump Engines

Does not apply. The applicant does not have a fire pump engine.

Table 4 to Subpart IIII of Part 60—Emission Standards for Stationary Fire Pump Engines

Does not apply. The applicant does not have a fire pump engine.

Table 5 to Subpart IIII of Part 60—Labeling and Recordkeeping Requirements for New Stationary Emergency Engines

Does not apply. NRRM's Tier 4i, 394 hp emergency back-up diesel generator does not meet the definition of emergency stationary ICE for this subpart.

Table 6 to Subpart IIII of Part 60—Optional 3-Mode Test Cycle for Stationary Fire Pump Engines

Does not apply. The applicant does not have a fire pump engine.

Table 7 to Subpart IIII of Part 60—Requirements for Performance Tests for Stationary CI ICE With a Displacement of ≥30 Liters per Cylinder

Does not apply. None of the NRRM engines has a displacement great than 30 liters per cylinder.

Table 8 to Subpart IIII of Part 60—Applicability of General Provisions to Subpart IIII

[As stated in §60.4218, you must comply with the following applicable General Provisions:]

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§60.1	General applicability of the General Provisions	Yes	
§60.2	Definitions	Yes	Additional terms defined in §60.4219.
§60.3	Units and abbreviations	Yes	
§60.4	Address	Yes	

§60.5	Determination of construction or modification	Yes	
§60.6	Review of plans	Yes	
§60.7	Notification and Recordkeeping	Yes	Except that §60.7 only applies as specified in §60.4214(a).
§60.8	Performance tests	Yes	Except that §60.8 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder and engines that are not certified.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	
§60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart III.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	Yes	Except that §60.13 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder.
§60.14	Modification	Yes	
§60.15	Reconstruction	Yes	
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device requirements	No	
§60.19	General notification and reporting requirements	Yes	

APPENDIX D.2- 40 CFR 63, SUBPART ZZZZ

ELECTRONIC CODE OF FEDERAL REGULATIONS

e-CFR Data is current as of November 21, 2013

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Title 40: Protection of Environment

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES
(CONTINUED)

Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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SOURCE: 69 FR 33506, June 15, 2004, unless otherwise noted.

WHAT THIS SUBPART COVERS

§63.6580 What is the purpose of subpart ZZZZ?

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

The facility has stationary reciprocating internal combustion engines (RICE) located at area sources of HAP emissions. The facility is an area source of HAP emissions.

[73 FR 3603, Jan. 18, 2008]

§63.6585 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) An area source of HAP emissions is a source that is not a major source.

(d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

The facility is not subject to 40 CFR 70 and is not required to get an Title V operating permit.

(e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.

(f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in §63.6675, which includes operating according to the provisions specified in §63.6640(f).

(1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate or are not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) and that do not operate for the purpose specified in §63.6640(f)(4)(ii).

(2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate or are not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) and that do not operate for the purpose specified in §63.6640(f)(4)(ii).

(3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate or are not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) and that do not operate for the purpose specified in §63.6640(f)(4)(ii).

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013]

§63.6590 What parts of my plant does this subpart cover?

This subpart applies to each affected source.

(a) *Affected source.* An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) *Existing stationary RICE.*

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of

the stationary RICE before December 19, 2002.

(ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

If it's new, it's not existing source.

Generator Units (Date Construction Commenced, 40 CFR §63.2)	Model Year from Forms in Application	Construction Date from Forms in the Application	New/Existing
One (1) Tier IV 1,093 hp diesel generator	2012	2013	New
One (1) Tier IV, 67 hp diesel generator	2011	2013	New
One (1) Tier 4i, 394 hp emergency back-up diesel generator	2013	2015	New
One (1) Tier III, 100 hp diesel generator	TBD	TBD	New
Three (3) Rental Tier III 315 hp diesel generators	2011 or newer	2013	New
Fifteen (15) Diesel-fired light plants (post 2006; except for one 2003, three 2005)	---	---	---
Stck 8 to Stck 10 (three)	2005	2007	Existing
Stck 11 to Stck 15 (five)	2006	2007	New
Stck 16 to Stck 21 (six)	2011	2010	New
Stck 22 (one)	Unknown	2003	Existing
One (1) Tier III, 97.9 hp diesel generator	2012	2012	New
One (1) Tier III, 90 hp diesel generator	2012	2011	New
One (1) 52 hp diesel generator	2005	2012	Existing

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

(2) **New stationary RICE.** (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

See above table; If it's new, it's not existing source.

(3) *Reconstructed stationary RICE.* (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.

(b) *Stationary RICE subject to limited requirements.* (1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of §63.6645(f).

(i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii).

(ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of §63.6645(f) and the requirements of §§63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

(3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:

(i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii).

(iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(c) *Stationary RICE subject to Regulations under 40 CFR Part 60.* An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting

the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

- (1) A new or reconstructed stationary RICE located at an area source;

The following table lists the engines that are subject 40 CFR 60, Subpart IIII.

Generator Units (Date Construction Commenced, 40 CFR §63.2)	Model Year from Forms in Application	Construction Date from Forms in the Application	New/Existing	New and subject to 40 CFR subpart IIII
One (1) Tier IV 1,093 hp diesel generator	2012	2013	New	Yes
One (1) Tier IV, 67 hp diesel generator	2011	2013	New	Yes
One (1) Tier 4i, 394 hp emergency back-up diesel generator	2013	2015	New	Yes
One (1) Tier III, 100 hp diesel generator	TBD	TBD	New	Yes
Three (3) Rental Tier III 315 hp diesel generators	2011 or newer	2013	New	Yes
Fifteen (15) Diesel-fired light plants	---	---	---	
Stck 8 to Stck 10 (three)	2005	2007	Existing	No
Stck 11 to Stck 15 (five)	2006	2007	New	Yes
Stck 16 to Stck 21 (six)	2011	2010	New	Yes
Stck 22 (one)	Unknown	2003	Existing	No
One (1) Tier III, 97.9 hp diesel generator	2012	2012	New	Yes
One (1) Tier III, 90 hp diesel generator	2012	2011	New	Yes
One (1) 52 hp diesel generator	2005	2012	Existing	No

Therefore, only the following engines are subject to the requirements of this subpart:

Generator Units (date construction commenced, 40 CFR §63.2)	Model Year from Forms in Application	Construction Date from Forms in Application
Diesel-fired light plants (Stck 8 to Stck 10, three, 18 kw/24 hp)	2005	2007
Diesel-fired light plants (Stck 22, one, 27 hp)	2003/Prior 2003	2003
One (1) 52 hp diesel generator	2005	2012

- (2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

- (3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;

(4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(5) A new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013]

§63.6595 When do I have to comply with this subpart?

(a) **Affected sources.** (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. **If you have** an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or **an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013.** If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013.

(2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.

(3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(b) *Area sources that become major sources.* If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.

(1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.

(2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

(c) If you own or operate an affected source, you must meet the applicable notification requirements in §63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 78 FR 6701, Jan. 30, 2013]

EMISSION AND OPERATING LIMITATIONS

§63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

Does not apply. The facility is not a major source of HAP emissions.

§63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?

Does not apply. The facility is not a major source of HAP emissions.

§63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?

Does not apply. The facility is not a major source of HAP emissions.

§63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.

(b) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. Existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meet

either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

Does not apply.

(1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).

(2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.

(i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.

(ii) At least 10 percent of the power generated by the stationary RICE on an annual basis is used for residential purposes.

(iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.

(c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:

Does not apply.

(1) Change oil every 1,000 hours of operation or annually, whichever comes first. Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement.

(2) Inspect and clean air filters every 750 hours of operation or annually, whichever comes first, and replace as necessary.

(3) Inspect fuel filters and belts, if installed, every 750 hours of operation or annually, whichever comes first, and replace as necessary.

(4) Inspect all flexible hoses every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.

(d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in §63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than

June 1, 2018. You must also comply with the crankcase ventilation system requirements in §63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

(e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart IIII instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.

(f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in §63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in §63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in §63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013]

§63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?

(a) If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel.

(b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in §63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.

(c) Beginning January 1, 2015, if you own or operate a new emergency CI stationary RICE with a site rating of more than 500 brake HP and a displacement of less than 30 liters per cylinder located at a major source of HAP that uses diesel fuel and operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii), you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.

(d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either §63.6603(b)(1) or §63.6603(b)(2), or are on offshore vessels that meet §63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013]

GENERAL COMPLIANCE REQUIREMENTS

§63.6605 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation 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, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[75 FR 9675, Mar. 3, 2010, as amended at 78 FR 6702, Jan. 30, 2013]

TESTING AND INITIAL COMPLIANCE REQUIREMENTS

§63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

Does not apply. Not a major HAP source and rating <500 hp.

§63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?

Does not apply. Not 4SLB SI RICE and not a major HAP source.

§63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2).

Do not apply. The NRRM engines are not subject to the requirements in Tables 4 & 5.

(b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

§63.6615 When must I conduct subsequent performance tests?

If you must comply with the emission limitations and operating limitations, you must conduct subsequent performance tests as specified in Table 3 of this subpart.

Do not apply because requirements in Table 3 do not apply to NRRM engines.

§63.6620 What performance tests and other procedures must I use?

Do not apply because the NRRM engines are not subject to source test.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010; 78 FR 6702, Jan. 30, 2013]

§63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either O₂ or CO₂ according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.

(1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.

(2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in §63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

(3) As specified in §63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.

(4) The CEMS data must be reduced as specified in §63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO₂ concentration.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (b)(1) through (6) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

(1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in §63.8(d). As specified in §63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with provisions in §63.8(c)(1)(ii) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in §63.10(c), (e)(1), and (e)(2)(i).

(2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.

(3) The CPMS must collect data at least once every 15 minutes (see also §63.6635).

(4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.

(6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.

(d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.

(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;

(2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;

This applies to four diesel-fired light plants (stck 8 to 10 and stck 22) and one (1) 52 hp diesel generator.

(5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;

(6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.

(7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska that meet either §63.6603(b)(1) or §63.6603(b)(2) do not have to meet the requirements of this paragraph (g). Existing CI engines located on offshore vessels that meet §63.6603(c) do not have to meet the requirements of this paragraph (g).

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or

(2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate

and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

This applies to four diesel-fired light plants (stck 8 to 10 and stck 22) and one (1) 52 hp diesel generator. It is listed as a table foot note in the permit.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of Table 2c to this subpart or in items 5, 6, 7, 9, or 11 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013]

§63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

(a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart.

(b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.

(c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.6645.

(d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.

(e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:

(1) The compliance demonstration must consist of at least three test runs.

(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O₂ using one of the O₂ measurement methods specified in Table 4 of this subpart. Measurements to determine O₂ concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O₂ emissions simultaneously at the inlet and outlet of the control device.

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

CONTINUOUS COMPLIANCE REQUIREMENTS

§63.6635 How do I monitor and collect data to demonstrate continuous compliance?

(a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.

(b) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

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§63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

(a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

Table 6 For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE <100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are remote stationary RICE	a. Work or Management practices <u><i>This applies to four diesel-fired light plants (stck 8 to 10 and stck 22) and one (1) 52 hp diesel generator.</i></u>	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

Does not apply.

(c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:

(1) The compliance demonstration must consist of at least one test run.

(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O₂ using one of the O₂ measurement methods specified in Table 4 of this subpart. Measurements to determine O₂ concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O₂ emissions simultaneously at the inlet and outlet of the control device.

(7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.

(d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

(f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary RICE in emergency situations.

(2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

(ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.

(ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6704, Jan. 30, 2013]

NOTIFICATIONS, REPORTS, AND RECORDS

§63.6645 What notifications must I submit and when?

(a) You must submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following;

(1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

(2) An existing stationary RICE located at an area source of HAP emissions.

(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.

(5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.

four diesel-fired light plants (stck 8 to 10 and stck 22, 18 kw each) and one (1) 52 hp diesel generator are less than 100 hp and are not subject to any numerical emission standards.

(b) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an Initial Notification not later than December 13, 2004.

(c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(d) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an Initial Notification not later than July 16, 2008.

(e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than

500 brake HP located at a major source of HAP emissions on or after March 18, 2008 and you are required to submit an initial notification, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with §63.6590(b), your notification should include the information in §63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).

(g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in §63.7(b)(1).

(h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to §63.9(h)(2)(ii).

(1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.

(2) For each initial compliance demonstration required in Table 5 to this subpart that includes a performance test conducted according to the requirements in Table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to §63.10(d)(2).

(i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in §63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in §63.6603(d) and identifying the state or local regulation that the engine is subject to.

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013]

§63.6650 What reports must I submit and when?

(a) You must submit each report in Table 7 of this subpart that applies to you.

Does not apply. The engines are not subject to report requirements in Table 7.

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[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013]

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§63.6655 What records must I keep?

(a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.

All affected engines.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).

Does not apply because the engines are not subject to notification and report requirements.

(2) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).

Does not apply because the engines are not requirement to perform source testing.

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.

(1) Records described in §63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in §63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE:

(1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency RICE.

(3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

This applies to four diesel-fired light plants (stck 8 to 10 and stck 22, 18 kw each) and one (1) 52

hp diesel generator.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(2)(ii) or (iii) or §63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013]

§63.6660 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).

(b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

OTHER REQUIREMENTS AND INFORMATION

§63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[75 FR 9678, Mar. 3, 2010]

§63.6670 Who implements and enforces this subpart?

(a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are:

(1) Approval of alternatives to the non-opacity emission limitations and operating limitations in §63.6600 under §63.6(g).

(2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.

(3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90.

(4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.

(5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in §63.6610(b).

§63.6675 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

Area source means any stationary source of HAP that is not a major source as defined in part 63.

Associated equipment as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

Backup power for renewable energy means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(l)(5) (incorporated by reference, see §63.14).

Black start engine means an engine whose only purpose is to start up a combustion turbine.

CAA means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Public Law 101-549, 104 Stat. 2399).

Commercial emergency stationary RICE means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Custody transfer means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless of whether or not such failure is permitted by this subpart.

(4) Fails to satisfy the general duty to minimize emissions established by §63.6(e)(1)(i).

Diesel engine means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (e.g. biodiesel) that is suitable for use in compression ignition engines.

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO₂.

Dual-fuel engine means any stationary RICE in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel.

Emergency stationary RICE means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in §63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in §63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

(1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.

(2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in §63.6640(f).

(3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in §63.6640(f)(2)(ii) or (iii) and §63.6640(f)(4)(i) or (ii).

Engine startup means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.

Four-stroke engine means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

Gaseous fuel means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

Gasoline means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

Glycol dehydration unit means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes "rich" glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The "lean" glycol is then recycled.

Hazardous air pollutants (HAP) means any air pollutants listed in or pursuant to section 112(b) of the CAA.

Institutional emergency stationary RICE means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

ISO standard day conditions means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

Lean burn engine means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

Limited use stationary RICE means any stationary RICE that operates less than 100 hours per year.

Liquefied petroleum gas means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

Liquid fuel means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

Major Source, as used in this subpart, shall have the same meaning as in §63.2, except that:

(1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;

(2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated;

(3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and

(4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Natural gas means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NO_x) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO_x, CO, and volatile organic compounds (VOC) into CO₂, nitrogen, and water.

Oil and gas production facility as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (*i.e.*, remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Oxidation catalyst means an add-on catalytic control device that controls CO and VOC by oxidation.

Peaking unit or engine means any standby engine intended for use during periods of high demand that are not emergencies.

Percent load means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in §63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to §63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to §63.1270(a)(2).

Production field facility means those oil and gas production facilities located prior to the point of custody transfer.

Production well means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C_3H_8 .

Remote stationary RICE means stationary RICE meeting any of the following criteria:

(1) Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

(2) Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.

(i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.

(ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.

(iii) For purposes of this paragraph (2), the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

(3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

Residential emergency stationary RICE means an emergency stationary RICE used in residential

establishments such as homes or apartment buildings.

Responsible official means responsible official as defined in 40 CFR 70.2.

Rich burn engine means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NO_x (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

Site-rated HP means the maximum manufacturer's design capacity at engine site conditions.

Spark ignition means relating to either: A gasoline-fueled engine; or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary reciprocating internal combustion engine (RICE) means any reciprocating internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

Stationary RICE test cell/stand means an engine test cell/stand, as defined in subpart P of this part, that tests stationary RICE.

Stoichiometric means the theoretical air-to-fuel ratio required for complete combustion.

Storage vessel with the potential for flash emissions means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

Subpart means 40 CFR part 63, subpart ZZZZ.

Surface site means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

Two-stroke engine means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011; 78 FR 6706, Jan. 30, 2013]

Table 1a to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

Does not apply.

Table 1b to Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

Does not apply.

Table 2a to Subpart ZZZZ of Part 63—Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions

As stated in §§63.6600 and 63.6640, you must comply with the following emission limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary RICE at 100 percent load plus or minus 10 percent:

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
1. 2SLB stationary RICE	a. Reduce CO emissions by 58 percent or more; or b. Limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent O ₂ . If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may limit concentration of formaldehyde to 17 ppmvd or less at 15 percent O ₂ until June 15, 2007	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. ¹
2. 4SLB stationary RICE	a. Reduce CO emissions by 93 percent or more; or	
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent O ₂	
3. CI stationary RICE	a. Reduce CO emissions by 70 percent or more; or	
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O ₂	

¹Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9680, Mar. 3, 2010]

Table 2b to Subpart ZZZZ of Part 63—Operating Limitations for New and Reconstructed 2SLB and CI Stationary RICE >500 HP Located at a Major Source of HAP Emissions, New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions, Existing CI Stationary RICE >500 HP

Does not apply. The facility is not a major source of HAP emissions, and the existing CI Stationary RICE < 500 HP

Table 2c to Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions

Does not apply.

Table 2d to Subpart ZZZZ of Part 63—Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions

As stated in §§63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
<p>1. Non-Emergency, non-black start CI stationary RICE ≤300 HP</p> <p><u>Apply to three 18 kw (24 hp) diesel-fired light plants (Stck 8 to Stck 10), one 27 hp diesel-fired light plant (Stck 22), and one 52 hp diesel generator.</u></p>	<p>a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;¹</p> <p>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;</p> <p>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.</p>	<p>Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.</p>
	<p>b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and</p>	
	<p>c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.</p>	
....		

¹Sources have the option to utilize an oil analysis program as described in §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of this subpart.

²If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed

unacceptable.

[78 FR 6709, Jan. 30, 2013]

Table 3 to Subpart ZZZZ of Part 63—Subsequent Performance Tests

Does not apply. **Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests**

Does not apply. **Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations, Operating Limitations, and Other Requirements**

Does not apply. **Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, and Other Requirements**

As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ^a ; and ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
2. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ^a ; and ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
3. New or reconstructed non-emergency	a. Reduce CO	i. Collecting the monitoring data

<p>2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP</p>	<p>emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS</p>	<p>according to §63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration of CO emissions according to §63.6620; and ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period, or that the emission remain at or below the CO concentration limit; and</p>
		<p>iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.</p>
<p>4. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP</p>	<p>a. Reduce formaldehyde emissions and using NSCR</p>	<p>i. Collecting the catalyst inlet temperature data according to §63.6625(b); and</p>
		<p>ii. Reducing these data to 4-hour rolling averages; and</p>
		<p>iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and</p>
		<p>iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p>
<p>5. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP</p>	<p>a. Reduce formaldehyde emissions and not using NSCR</p>	<p>i. Collecting the approved operating parameter (if any) data according to §63.6625(b); and</p>
		<p>ii. Reducing these data to 4-hour rolling averages; and</p>
		<p>iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p>
<p>6. Non-emergency 4SRB stationary RICE with a brake HP ≥5,000 located at a major source of HAP</p>	<p>a. Reduce formaldehyde emissions</p>	<p>Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent.^a</p>

<p>7. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP</p>	<p>a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR</p>	<p>i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit^a; and ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and</p>
		<p>iii. Reducing these data to 4-hour rolling averages; and</p>
		<p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and</p>
		<p>v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p>
<p>8. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP</p>	<p>a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR</p>	<p>i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit^a; and ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and</p>
		<p>iii. Reducing these data to 4-hour rolling averages; and</p>
		<p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p>
<p>9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE <100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source</p>	<p>a. Work or Management practices</p> <p><u><i>This applies to four diesel-fired light plants (stck 8 to 10 and stck 22) and one (1) 52 hp diesel generator.</i></u></p>	<p>i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.</p>

<p>of HAP, existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are remote stationary RICE</p>		
<p>10. Existing stationary CI RICE >500 HP that are not limited use stationary RICE</p>	<p>a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst</p>	<p>i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</p>
		<p>ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and</p>
		<p>iii. Reducing these data to 4-hour rolling averages; and</p>
		<p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and</p>
		<p>v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p>
<p>11. Existing stationary CI RICE >500 HP that are not limited use stationary RICE</p>	<p>a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and not using oxidation catalyst</p>	<p>i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</p>
		<p>ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and</p>
		<p>iii. Reducing these data to 4-hour rolling averages; and</p>
		<p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</p>

12. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using an oxidation catalyst	i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and
		ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
13. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst	i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and
		ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
14. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install an oxidation catalyst	i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O ₂ ; and either ii. Collecting the catalyst inlet temperature data according to

		§63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F.
15. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O ₂ , or the average reduction of emissions of THC is 30 percent or more; and either ii. Collecting the catalyst inlet temperature data according to §63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F.

^aAfter you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

[78 FR 6715, Jan. 30, 2013]

Table 7 to Subpart ZZZZ of Part 63—Requirements for Reports

Does not apply.

Table 8 to Subpart ZZZZ of Part 63—Applicability of General Provisions to Subpart ZZZZ.

As stated in §63.6665, you must comply with the following applicable general provisions.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§63.1	General applicability of the General Provisions	Yes.	
§63.2	Definitions	Yes	Additional terms defined in §63.6675.

§63.3	Units and abbreviations	Yes.	
§63.4	Prohibited activities and circumvention	Yes.	
§63.5	Construction and reconstruction	Yes.	
§63.6(a)	Applicability	Yes.	
§63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes.	
§63.6(b)(5)	Notification	Yes.	
§63.6(b)(6)	[Reserved]		
§63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes.	
§63.6(c)(1)-(2)	Compliance dates for existing sources	Yes.	
§63.6(c)(3)-(4)	[Reserved]		
§63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes.	
§63.6(d)	[Reserved]		
§63.6(e)	Operation and maintenance	No.	
§63.6(f)(1)	Applicability of standards	No.	
§63.6(f)(2)	Methods for determining compliance	Yes.	
§63.6(f)(3)	Finding of compliance	Yes.	
§63.6(g)(1)-(3)	Use of alternate standard	Yes.	
§63.6(h)	Opacity and visible emission standards	No	Subpart ZZZZ does not contain opacity or visible emission standards.
§63.6(i)	Compliance extension procedures and criteria	Yes.	
§63.6(j)	Presidential compliance exemption	Yes.	
§63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.
§63.7(a)(3)	CAA section 114 authority	Yes.	
§63.7(b)(1)	Notification of performance test	Yes	Except that §63.7(b)(1) only applies as specified in §63.6645.
§63.7(b)(2)	Notification of rescheduling	Yes	Except that §63.7(b)(2) only applies as specified in §63.6645.

§63.7(c)	Quality assurance/test plan	Yes	Except that §63.7(c) only applies as specified in §63.6645.
§63.7(d)	Testing facilities	Yes.	
§63.7(e)(1)	Conditions for conducting performance tests	No.	Subpart ZZZZ specifies conditions for conducting performance tests at §63.6620.
§63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at §63.6620.
§63.7(e)(3)	Test run duration	Yes.	
§63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes.	
§63.7(f)	Alternative test method provisions	Yes.	
§63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes.	
§63.7(h)	Waiver of tests	Yes.	
§63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at §63.6625.
§63.8(a)(2)	Performance specifications	Yes.	
§63.8(a)(3)	[Reserved]		
§63.8(a)(4)	Monitoring for control devices	No.	
§63.8(b)(1)	Monitoring	Yes.	
§63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes.	
§63.8(c)(1)	Monitoring system operation and maintenance	Yes.	
§63.8(c)(1)(i)	Routine and predictable SSM	No	
§63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes.	
§63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	No	
§63.8(c)(2)-(3)	Monitoring system installation	Yes.	
§63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§63.8(d)	CMS quality control	Yes.	

§63.8(e)	CMS performance evaluation	Yes	Except for §63.8(e)(5)(ii), which applies to COMS.
		Except that §63.8(e) only applies as specified in §63.6645.	
§63.8(f)(1)-(5)	Alternative monitoring method	Yes	Except that §63.8(f)(4) only applies as specified in §63.6645.
§63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that §63.8(f)(6) only applies as specified in §63.6645.
§63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§63.6635 and 63.6640.
§63.9(a)	Applicability and State delegation of notification requirements	Yes.	
§63.9(b)(1)-(5)	Initial notifications	Yes	Except that §63.9(b)(3) is reserved.
		Except that §63.9(b) only applies as specified in §63.6645.	
§63.9(c)	Request for compliance extension	Yes	Except that §63.9(c) only applies as specified in §63.6645.
§63.9(d)	Notification of special compliance requirements for new sources	Yes	Except that §63.9(d) only applies as specified in §63.6645.
§63.9(e)	Notification of performance test	Yes	Except that §63.9(e) only applies as specified in §63.6645.
§63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.
§63.9(g)(1)	Notification of performance evaluation	Yes	Except that §63.9(g) only applies as specified in §63.6645.
§63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.
§63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use.
		Except that §63.9(g) only applies as specified in §63.6645.	
§63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days

			after completion of performance evaluations. §63.9(h)(4) is reserved.
			Except that §63.9(h) only applies as specified in §63.6645.
§63.9(i)	Adjustment of submittal deadlines	Yes.	
§63.9(j)	Change in previous information	Yes.	
§63.10(a)	Administrative provisions for recordkeeping/reporting	Yes.	
§63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§63.10(b)(2)(i)-(v)	Records related to SSM	No.	
§63.10(b)(2)(vi)-(xi)	Records	Yes.	
§63.10(b)(2)(xii)	Record when under waiver	Yes.	
§63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§63.10(b)(2)(xiv)	Records of supporting documentation	Yes.	
§63.10(b)(3)	Records of applicability determination	Yes.	
§63.10(c)	Additional records for sources using CEMS	Yes	Except that §63.10(c)(2)-(4) and (9) are reserved.
§63.10(d)(1)	General reporting requirements	Yes.	
§63.10(d)(2)	Report of performance test results	Yes.	
§63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
§63.10(d)(4)	Progress reports	Yes.	
§63.10(d)(5)	Startup, shutdown, and malfunction reports	No.	
§63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes.	
§63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.
§63.10(e)(3)	Excess emission and parameter exceedances reports	Yes.	Except that §63.10(e)(3)(i) (C) is reserved.
§63.10(e)(4)	Reporting COMS data	No	Subpart ZZZZ does not require COMS.
§63.10(f)	Waiver for recordkeeping/reporting	Yes.	

§63.11	Flares	No.	
§63.12	State authority and delegations	Yes.	
§63.13	Addresses	Yes.	
§63.14	Incorporation by reference	Yes.	
§63.15	Availability of information	Yes.	

[75 FR 9688, Mar. 3, 2010, as amended at 78 FR 6720, Jan. 30, 2013]