

§ 63.11140

40 CFR Ch. I (7–1–17 Edition)

Citation	Subject	Brief description	Applies to subpart CCCCC
§ 63.10(e)(3)(iv)–(v)	Excess Emissions Reports.	Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor exceedances (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§ 63.8(c)(7)–(8) and 63.10(c)(5)–(13).	No.
§ 63.10(e)(3)(iv)–(v)	Excess Emissions Reports.	Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor exceedances (now defined as deviations); provision to request semiannual reporting after compliance for 1 year; submit report by 30th day following end of quarter or calendar half; if there has not been an exceedance or excess emissions (now defined as deviations), report contents in a statement that there have been no deviations; must submit report containing all of the information in §§ 63.8(c)(7)–(8) and 63.10(c)(5)–(13).	No, § 63.11130(K) specifies excess emission events for this subpart.
§ 63.10(e)(3)(vi)–(viii)	Excess Emissions Report and Summary Report.	Requirements for reporting excess emissions for CMS; requires all of the information in §§ 63.10(c)(5)–(13) and 63.8(c)(7)–(8).	No.
§ 63.10(e)(4)	Reporting COMS Data	Must submit COMS data with performance test data.	No.
§ 63.10(f)	Waiver for Record-keeping/Reporting.	Procedures for Administrator to waive	Yes.
§ 63.11(b)	Flares	Requirements for flares	No.
§ 63.12	Delegation	State authority to enforce standards	Yes.
§ 63.13	Addresses	Addresses where reports, notifications, and requests are sent.	Yes.
§ 63.14	Incorporations by Reference.	Test methods incorporated by reference	Yes.
§ 63.15	Availability of Information.	Public and confidential information	Yes.

[73 FR 1945, Jan. 10, 2008, as amended at 76 FR 4184, Jan. 24, 2011]

Subpart DDDDDD—National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources

SOURCE: 72 FR 2943, Jan. 23, 2007, unless otherwise noted.

APPLICABILITY AND COMPLIANCE DATES

§ 63.11140 Am I subject to this subpart?

(a) On or before April 17, 2012, you are subject to this subpart if you own or operate a plant specified in § 61.61(c) of this chapter that produces polyvinyl chloride (PVC) or copolymers and is an area source of hazardous air pollutant (HAP) emissions. After April 17, 2012,

you are subject to the requirements in this subpart if you own or operate one or more polyvinyl chloride and copolymers process units (PVCPU), as defined in § 63.12005, that are located at, or are part of, an area source of HAP.

(b) On or before April 17, 2012, this subpart applies to each new or existing affected source. The affected source is the collection of all equipment and activities in vinyl chloride service necessary to produce PVC and copolymers. An affected source does not include portions of your PVC and copolymers production operations that meet the criteria in § 61.60(b) or (c) of this chapter. After April 17, 2012, this subpart applies to each polyvinyl chloride and copolymers production affected source. The polyvinyl chloride and copolymers production affected source is the facility-wide collection of PVCPU, storage vessels, heat exchange systems, surge control vessels, and wastewater and

Environmental Protection Agency

§ 63.11141

process wastewater treatment systems that are associated with producing polyvinyl chloride and copolymers.

(1) An affected source is existing if you commenced construction or reconstruction of the affected source before October 6, 2006.

(i) You must meet the applicable requirements of §§ 63.11142(a), 63.11143(a) and (b), 63.11144(a) and 63.11145 for existing affected sources.

(ii) You must achieve compliance by the date specified in § 63.11141(a).

(iii) You must meet the applicable requirements of §§ 63.11142(b) through (f), 63.11143(c), 63.11144(b) and 63.11145 for existing affected sources by the compliance date specified in § 63.11141(c), after which time you are no longer subject to the requirements listed in paragraphs (b)(1)(i) and (ii) of this section.

(2) An affected source is new if you commenced construction or reconstruction of the affected source between October 6, 2006, and May 20, 2011.

(i) You must meet the applicable requirements of §§ 63.11142(a), 63.11143(a) and (b), 63.11144(a) and 63.11145 for new affected sources.

(ii) You must achieve compliance by the date specified in § 63.11141(b).

(3) If you are a new affected source as specified in paragraph (b)(2) of this section that commenced construction or reconstruction between October 6, 2006, and May 20, 2011, then after April 17, 2012, you are considered an existing affected source.

(i) You must meet the applicable requirements of §§ 63.11142(b) through (f), 63.11143(c), 63.11144(b) and 63.11145 for existing affected sources.

(ii) You must achieve compliance by the date specified in § 63.11141(d), after which time you are no longer subject to paragraphs (b)(2)(i) and (ii) of this section.

(4) An affected source is new if you commenced construction or reconstruction of the affected source after May 20, 2011.

(i) You must meet the applicable requirements of §§ 63.11142(b) through (f), 63.11143(c), 63.11144(b), and 63.11145 for new affected sources.

(ii) You must achieve compliance by the date specified in § 63.11141(e).

(iii) If components of an existing affected source are replaced such that

the replacement meets the definition of reconstruction in § 63.2 and the reconstruction commenced after May 20, 2011, then the existing affected source becomes a reconstructed source and is subject to the relevant standards for a new affected source. The reconstructed source must comply with the requirements of paragraph (b)(4)(i) of this section for a new affected source upon initial startup of the reconstructed source or by April 17, 2012, whichever is later.

(c) This subpart does not apply to research and development facilities, as defined in section 112(c)(7) of the Clean Air Act. After April 17, 2012, the requirements of this subpart also do not apply to chemical manufacturing process units, as defined in § 63.101, that produce vinyl chloride monomer or other raw materials used in the production of polyvinyl chloride and copolymers.

(d) You are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not otherwise required by law to obtain a permit under § 70.3(a) or § 71.3(a). Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart.

(e) After the applicable compliance date specified in § 63.11141(c), (d) or (e), an affected source that is also subject to the provisions of 40 CFR part 61, subpart F, is required to comply with the provisions of this subpart and no longer has to comply with 40 CFR part 61, subpart F.

(f) After the applicable compliance date specified in § 63.11141(c), (d) or (e), an affected source that is also subject to the provisions of other 40 CFR part 60 or 40 CFR part 63 subparts is required to comply with this subpart and any other applicable 40 CFR part 60 and 40 CFR part 63 subparts.

[77 FR 22904, Apr. 17, 2012]

§ 63.11141 What are my compliance dates?

(a) If you own or operate an existing affected source as specified in § 63.11140(b)(1), then you must achieve compliance with the applicable provisions in this subpart specified in § 63.11140(b)(1)(i) by January 23, 2007.

(b) If you own or operate a new affected source as specified in

§63.11142

40 CFR Ch. I (7–1–17 Edition)

§63.11140(b)(2), then you must achieve compliance with the applicable provisions in this subpart as specified in §63.11140(b)(2)(i) by the dates in paragraphs (b)(1) or (2) of this section.

(1) If you start up a new affected source on or before January 23, 2007, you must achieve compliance with the applicable provisions in this subpart not later than January 23, 2007.

(2) If you start up a new affected source after January 23, 2007, but before or on May 20, 2011, then you must achieve compliance with the provisions in this subpart upon startup of your affected source.

(c) If you own or operate an existing affected source as specified in §63.11140(b)(1), then you must achieve compliance with the applicable provisions in this subpart specified in §63.11140(b)(1)(iii) by April 17, 2015.

(d) If you own or operate an affected source that commenced construction or reconstruction between October 6, 2006, and May 20, 2011, then you must achieve compliance with the applicable provisions of this subpart specified in §63.11140(b)(3) by April 17, 2015.

(e) If you own or operate a new affected source as specified in §63.11140(b)(4), then you must achieve compliance with the applicable provisions in this subpart specified in §63.11140(b)(4)(i) by the dates in paragraphs (e)(1) and (2) of this section.

(1) If you start up your affected source between May 20, 2011, and April 17, 2012, then you must achieve compliance with the applicable provisions in this subpart not later than April 17, 2012.

(2) If you start up your affected source after April 17, 2012, then you must achieve compliance with the provisions in this subpart upon startup of your affected source.

[77 FR 22905, Apr. 17, 2012]

STANDARDS AND COMPLIANCE
REQUIREMENTS

§63.11142 What are the standards and compliance requirements for new and existing sources?

(a) You must meet all the requirements in 40 CFR part 61, subpart F, except for §§61.62 and 61.63.

(b) You must comply with each emission limit and standard specified in Table 1 to this subpart that applies to your existing affected source, and you must comply with each emission limit and standard specified in Table 2 to this subpart that applies to your new affected source.

(c) The emission limits, operating limits and work practice standards specified in this subpart apply at all times, including periods of startup, shutdown and malfunction.

(d) You must demonstrate initial compliance by the dates specified in §63.11141.

(e) You must conduct subsequent performance testing according to the schedule specified in §63.11905.

(f) You must meet the requirements of the applicable sections of 40 CFR part 63, subpart HHHHHHHH, as specified in paragraphs (f)(1) through (19) of this section, except for the purposes of complying with this subpart, where the applicable sections of 40 CFR part 63, subpart HHHHHHHH, as specified in paragraphs (f)(1) through (19) of this section reference Table 1 or Table 2 to subpart HHHHHHHH, reference is made to Table 1 or Table 2 to this subpart.

(1) You must comply with the requirements of §63.11880(b).

(2) You must comply with the requirements of §§63.11890(a) through 63.11890(d) and are subject to §63.11895.

(3) You must comply with the requirements of §63.11896, except for the purposes of complying with this subpart, where §63.11896 refers to §63.11870(d) of subpart HHHHHHHH, reference is made to §63.11140(b)(4) of this subpart.

(4) You must comply with the requirements of §63.11900, except for the purposes of complying with this subpart, where §63.11900 refers to §63.11875 of subpart HHHHHHHH, reference is made to §63.11141 of this subpart.

(5) You must meet the requirements of §63.11910 for initial and continuous compliance for storage vessels.

(6) You must meet the requirements of §63.11915 for equipment leaks.

(7) You must meet the requirements of §63.11920 for initial and continuous compliance for heat exchange systems.

Environmental Protection Agency

§ 63.11145

(8) You must meet the requirements of § 63.11925 for initial and continuous compliance for process vents.

(9) You must meet the requirements of § 63.11930 for closed vent systems.

(10) You must meet the requirements of § 63.11935 for continuous emissions monitoring systems (CEMS) and continuous parameter monitoring systems (CPMS) to demonstrate initial and continuous compliance with the emission standards for process vents.

(11) You must meet the requirements of § 63.11940 for continuous monitoring requirements for control devices required to install CPMS to meet the emission limits for process vents.

(12) You must meet the requirements of § 63.11945 for performance testing requirements for process vents.

(13) You must meet the requirements of § 63.11950 for emissions calculations to be used for an emission profile by process of batch process operations.

(14) You must meet the requirements of § 63.11955 for initial and continuous compliance requirements for other emission sources.

(15) You must meet the requirements of § 63.11956 for ambient monitoring.

(16) You must meet the requirements of § 63.11960 for initial and continuous compliance requirements for stripped resin.

(17) You must meet the requirements of § 63.11965 through § 63.11980 for general, initial and continuous compliance, test methods and calculation procedures for wastewater.

(18) You must meet the notification and reporting requirements of § 63.11985.

(19) You must meet the record-keeping requirements of §§ 63.11990 and 63.11995.

[77 FR 22905, Apr. 17, 2012]

OTHER REQUIREMENTS AND INFORMATION

§ 63.11143 What General Provisions apply to this subpart?

(a) All the provisions in part 61, subpart A of this chapter apply to this subpart.

(b) The provisions in subpart A of this part, applicable to this subpart are specified in paragraphs (b)(1) and (2) of this section.

(1) § 63.1(a)(1) through (10).

(2) § 63.1(b) except paragraph (b)(3), §§ 63.1(c) and 63.1(e).

(c) Section 63.11885 specifies which parts of the General Provisions in subpart A of this part apply to you.

[77 FR 22906, Apr. 17, 2012]

§ 63.11144 What definitions apply to this subpart?

(a) On and before April 17, 2012, the terms used in this subpart are defined in the Clean Air Act; §§ 61.02 and 61.61 of this chapter; and § 63.2 for terms used in the applicable provisions of subpart A of this part, as specified in § 63.11143(b).

(b) After April 17, 2012, terms used in this subpart are defined in the Clean Air Act; § 63.2; and § 63.12005.

[77 FR 22906, Apr. 17, 2012]

§ 63.11145 Who implements and enforces this subpart?

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

(b) In delegating implementation and enforcement authority of this subpart to a state, local or tribal agency under subpart E of this part, the approval authorities contained in paragraphs (b)(1) through (4) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the state, local or tribal agency.

(1) Approval of an alternative means of emissions limitation under § 61.12(d) of this chapter.

(2) Approval of a major change to test methods under § 61.13(h) of this chapter. A “major change to test method” is defined in § 63.90.

(3) Approval of a major change to monitoring under § 61.14(g) of this chapter. A “major change to monitoring” is defined in § 63.90.

(4) Approval of a major change to reporting under § 61.10. A “major change

to recordkeeping/reporting” is defined in § 63.90.

[77 FR 22906, Apr. 17, 2012]

TABLE 1 TO SUBPART DDDDDD OF PART 63—EMISSION LIMITS AND STANDARDS FOR EXISTING AFFECTED SOURCES

For this type of emission point . . .	And for this air pollutant . . .	And for an affected source producing this type of PVC resin . . .	You must meet this emission limit . . .
PVC-only process vents ^a	Vinyl chloride	All resin types	5.3 parts per million by volume (ppmv).
	Total hydrocarbons	All resin types	46 ppmv measured as propane.
	Total organic HAP ^b	All resin types	140 ppmv.
	Dioxins/furans (toxic equivalency basis).	All resin types	0.13 nanograms per dry standard cubic meter (ng/dscm).
PVC-combined process vents ^a	Vinyl chloride	All resin types	0.56 ppmv.
	Total hydrocarbons	All resin types	2.3 ppmv measured as propane.
	Total organic HAP ^b	All resin types	29 ppmv.
	Dioxins/furans (toxic equivalency basis).	All resin types	0.076 ng/dscm.
Stripped resin	Vinyl chloride	Bulk resin	7.1 parts per million by weight (ppmw).
		Dispersion resin	1,500 ppmw.
		Suspension resin	36 ppmw.
		Suspension blending resin	140 ppmw.
		Copolymer resin	790 ppmw.
		Bulk resin	170 ppmw.
		Dispersion resin	320 ppmw.
		Suspension resin	36 ppmw.
		Suspension blending resin	500 ppmw.
		Copolymer resin	1,900 ppmw.
Process Wastewater	Vinyl chloride	All resin types	2.1 ppmw.

^aEmission limits at 3-percent oxygen, dry basis.

^bAffected sources have the option to comply with either the total hydrocarbon limit or the total organic HAP limit.

[80 FR 5940, Feb. 4, 2015]

TABLE 2 TO SUBPART DDDDDD OF PART 63—EMISSION LIMITS AND STANDARDS FOR NEW AFFECTED SOURCES

For this type of emission point . . .	And for this air pollutant . . .	And for an affected source producing this type of PVC resin . . .	You must meet this emission limit . . .
PVC-only process vents ^a	Vinyl chloride	All resin types	5.3 parts per million by volume (ppmv).
	Total hydrocarbons	All resin types	46 ppmv measured as propane.
	Total organic HAP ^b	All resin types	140 ppmv.
	Dioxins/furans (toxic equivalency basis).	All resin types	0.13 nanograms per dry standard cubic meter (ng/dscm).
PVC-combined process vents ^a	Vinyl chloride	All resin types	0.56 ppmv.
	Total hydrocarbons	All resin types	2.3 ppmv measured as propane.
	Total organic HAP ^b	All resin types	29 ppmv.
	Dioxins/furans (toxic equivalency basis).	All resin types	0.076 ng/dscm.
Stripped resin	Vinyl chloride	Bulk resin	7.1 parts per million by weight (ppmw).
		Dispersion resin	1,500 ppmw.
		Suspension resin	36 ppmw.
		Suspension blending resin	140 ppmw.
		Copolymer resin	790 ppmw.
		Bulk resin	170 ppmw.
		Dispersion resin	320 ppmw.
		Suspension resin	36 ppmw.
		Suspension blending resin	500 ppmw.
		Copolymer resin	1,900 ppmw.
Total non-vinyl chloride organic HAP.			

For this type of emission point . . .	And for this air pollutant . . .	And for an affected source producing this type of PVC resin . . .	You must meet this emission limit . . .
Process Wastewater	Vinyl chloride	Dispersion resin Suspension resin Suspension blending resin Copolymer resin All resin types	320 ppmw. 36 ppmw. 500 ppmw. 1,900 ppmw. 2.1 ppmw.

^a Emission limits at 3 percent oxygen, dry basis.

^b Affected sources have the option to comply with either the total hydrocarbon limit or the total organic HAP limit.

[80 FR 5941, Feb. 4, 2015]

Subpart EEEEE—National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources

SOURCE: 72 FR 2944, Jan. 23, 2007, unless otherwise noted.

APPLICABILITY AND COMPLIANCE DATES

§ 63.11146 What are the applicability provisions and compliance dates?

(a) You are subject to this subpart if you own or operate a primary copper smelter that is an area source of hazardous air pollutant (HAP) emissions.

(b) This subpart applies to each new or existing affected source. The affected source is each primary copper smelter.

(1) An affected source is existing if you commenced construction or reconstruction of the affected source before October 6, 2006.

(2) An affected source is new if you commenced construction or reconstruction of the affected source on or after October 6, 2006.

(c) This subpart does not apply to research and development facilities, as defined in section 112(c)(7) of the Clean Air Act (CAA).

(d) If you own or operate an area source subject to this subpart, you must obtain a permit under 40 CFR part 70 or 40 CFR part 71.

(e) If you own or operate an existing affected source, you must achieve compliance with the applicable provisions of this subpart by January 23, 2007.

(f) If you own or operate a new affected source, you must achieve compliance with the applicable provisions of this subpart by the dates in paragraphs (f)(1) and (2) of this section.

(1) If you startup a new affected source on or before January 23, 2007, you must achieve compliance with the applicable provisions of this subpart not later than January 23, 2007.

(2) If you startup a new affected source after January 23, 2007, you must achieve compliance with the applicable provisions of this subpart upon startup of your affected source.

STANDARDS AND COMPLIANCE REQUIREMENTS

§ 63.11147 What are the standards and compliance requirements for existing sources not using batch copper converters?

(a) *Emissions limits and work practice standards.* (1) You must not discharge to the atmosphere through any combination of stacks or other vents captured process exhaust gases from the copper concentrate dryers, smelting vessels, converting vessels, matte drying and grinding plants, secondary gas systems, and anode refining department that contain particulate matter less than 10 microns in aerodynamic diameter (PM₁₀) in excess of 89.5 pounds per hour (lb/hr) on a 24-hour average basis.

(2) You must operate a capture system that collects the gases and fumes released during the transfer of molten materials from smelting vessels and converting vessels and conveys the collected gas stream to a control device.

(3) You must operate one or more capture systems that collect the gases and fumes released from each vessel used to refine blister copper, remelt anode copper, or remelt anode scrap and convey each collected gas stream to a control device. One control device may be used for multiple collected gas streams.

(b) *Compliance requirements.* For purposes of determining compliance with