

satisfies CAA section 112(d)(2) through (3) and the EPA has no authority to weaken the existing standard under CAA section 112(d)(6) or otherwise. The commenter concluded that the EPA may not use cost to set or weaken floor standards under CAA section 112(d)(3) or to weaken standards below the "maximum achievable degree of emission reduction" under CAA section 112(d)(2).

A commenter alleged that the EPA failed to provide the emission and health impacts of the revisions or the scientific or engineering basis for the decision. The commenter added that the EPA did not explain how or whether it validated industry claims that actually running tests created difficulties due to scheduling, whether this change risks an increase in malfunctions or emissions, the impact on the effectiveness of filters when not switching them more frequently, and why manufacturer specifications are sufficient to fit facilities that may vary in their ambient conditions, in their equipment, and in their production. The commenter added that by not providing these analyses, the EPA has deprived the public of the opportunity to file meaningful comments on the change, which is a violation of notice-and-comment rulemaking.

Response: The EPA agrees that for some control technologies, manufacturers' specifications may not be sufficient to determine operating limits; however, manufacturers' specifications in conjunction with the periodic performance tests are sufficient to demonstrate compliance for the operation of filter banks such as those used in this source category (where the replaceable parts are limited to the filters themselves and the induced draft fan). Specifically, the EPA disagrees that the use of manufacturers' specifications for the maximum pressure drop is not a reliable indicator of filter bank performance at the upper end of filter bank pressure drop. The EPA further disagrees that the use of manufacturers' specifications in setting the maximum pressure drop is a loosening of the standard. The efficiency of a filter bank increases as the pressure drop increases through use because the deposition of material on the filter forms a layer of dust that decreases the effective pore size and increases capture efficiency. The purpose of a maximum pressure drop as a regulatory limit in the case of a filter bank is to prevent overloading of the filter, which may eventually cause breakthrough or result in structural damage to the filter or a possible bypass of the control device. The use of manufacturers' specifications as an

option for setting the operating range allows for a facility to remain in compliance with the operating limits when the filter is replaced, because that is the moment at which the pressure drop of a properly functioning filter bank is the lowest. As stated in our proposal, allowing use of manufacturers' specifications to establish operating limits provides flexibility and alleviates the need for a facility to have to retest the PM control device to reestablish new operating limits due to the inability of a source to "dial in" the differential pressure of their control device for a particular performance test as the differential pressure increases over time as a result of particulate deposition. Finally, as discussed previously in this preamble (in response to another comment), we are requiring in the final rule at item 3 of Table 2 and item 3 of Table 5 that the operating criteria for each particulate control device include both a maximum and minimum pressure drop as opposed to solely a maximum pressure drop operating limit. Therefore, in consideration of this comment and in order to provide additional flexibility, we are clarifying in the final rule at 40 CFR 63.8689(d) that facilities may either use the manufacturers' specifications or a performance test to set each operating limit. For example, facilities may choose to establish the minimum pressure drop operating limit using the manufacturer's specifications and choose to establish the maximum pressure drop operating limit using a performance test. In this example, the facility could use the performance test to demonstrate that it can still meet the emission limit beyond the maximum pressure drop recommended by the manufacturer's specifications.

Comment: One commenter supported allowing facilities a 20-percent margin of compliance on the average inlet temperature of a PM control device other than a thermal oxidizer. The commenter stated that it is typically necessary to schedule tests at least 1 to 2 months in advance to assure the availability of stack testing contractors. The commenter also agreed with the EPA that it is impractical to schedule testing at times of the year when maximum temperatures will occur because ambient temperatures cannot be precisely predicted in advance. The commenter stated that they appreciate that the EPA recognizes the variations in operating conditions that facilities may routinely experience consistent with the proper operation of such control devices within the manufacturer's specifications. However, the commenter

suggested that the EPA clarify this 20-percent allowance applies to temperatures expressed in units of degrees Fahrenheit because the application of a 20-percent margin to temperature expressed in other units of measure would not result in the same temperature.

On the contrary, two other commenters opposed allowing facilities a 20-percent margin of compliance on the average inlet temperature of a PM control device other than a thermal oxidizer.

One commenter disagreed with the EPA's claims that the change addresses the high impact of ambient conditions on the inlet temperature and removes some of the scheduling uncertainty while still accounting for the temperature dependence of emissions. The commenter contended that the difficulty industry faces is in trying to capture the maximum gas inlet temperature at which they can achieve compliance, which is the maximum point at which that facility can show it can operate while being in compliance. The commenter contended that the 20-percent extra allowance for temperature is a malfunction buffer and the EPA is statutorily barred from creating a malfunction exemption, and they cited *Sierra Club v. EPA*, 551 F.3d 1019, 1028 (D.C. Cir. 2008) (citing CAA sections 112 and 302(k)).

Additionally, the commenter contended that the EPA did not include an analysis that explains why it chose to add the 20-percent margin for temperature limits, the impact that this will have, and why this change to its prior standards is justified by the best available science. The commenter asserted that the EPA needs to also cite its authority for the proposed change, demonstrate how its proposal stays within the bounds of that authority, and explain and show its work, so that the public can evaluate and comment on it. Similarly, another commenter said the 20-percent extra allowance for temperature is unsupported by any data.

A commenter stated that where condensable PM, including high boiling point asphalt components, is present, control efficiency is affected by the vapor pressure of the components, and emissions will increase at higher temperatures. The commenter suggested that facilities that are unable to maintain the operating limits established during a successful performance test conducted in the winter should be required to conduct an additional performance test in the summer to establish a seasonal operating limit. Further, the commenter said that there is no rationale to allow a 20-percent margin for facilities that

have conducted their performance tests in the summer. Additionally, the commenter pointed out that it is unclear whether the risk assessment included these potentially increased emissions (of condensable PM due to higher control device operating temperatures) and called attention to the statement in the preamble (84 FR 18952) that no air quality impacts are anticipated. The commenter said this statement in the preamble incorrectly ignores the increased emissions due to higher control device operating temperatures that would be allowed in the proposed amendments.

Response: The EPA disagrees with the commenter's assessment that the proposed 20-percent extra allowance on the inlet gas temperature limit of the PM control device is a malfunction buffer. Malfunction is defined in 40 CFR 63.2 as "any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring 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." The potential temperature exceedance being addressed by this provision is not a failure to operate in a normal or usual manner, but a normal variation of inlet temperature in accordance with natural temperature variation. The temperature at the inlet to these PM control devices is highly dependent on the "sweep" air from the process area, a non-temperature controlled environment. The inlet temperature, thus, swings over the course of a day and through the seasons based upon the ambient temperature. Facilities are not equipped to modulate the inlet temperature. The issue facilities face is not one of testing in the winter and, thus, being out of compliance in the summer, as there is no lower temperature limit being set and facilities are not testing in the winter, but of trying to accurately predict the hottest day of the next 5 summer weeks in advance to be sure that the temperature at the inlet is at its peak during the test event. An 85 degrees Fahrenheit day instead of an anticipated 95 degrees Fahrenheit day is sufficient to cause potential issues in the setting of maximum temperature limitations, as facilities do not have a mechanism for controlling the inlet temperature. The EPA has used operating margins in the setting of control device operating parameter limits for certain other rules such as 40 CFR part 63, subparts AA and BB, NESHAP for Phosphoric Acid

Manufacturing Plants and Phosphate Fertilizers Production Plants, respectively, where the daily average differential pressure across an absorber and the flow rate of the liquid to each absorber or the secondary voltage for a wet electrostatic precipitator is ± 20 percent of the baseline average; 40 CFR part 63, subpart LLL, NESHAP for the Portland Cement Manufacturing Industry, where the temperature of the inline kiln/raw mill during startup/shutdown may exceed the temperature limit by 10 percent; and 40 CFR part 63, subpart RRR, NESHAP for Secondary Aluminum Production, where the flow rate of the capture/collection system indicators is maintained at greater than 90 percent of the flow rate measured during the performance test.

The EPA anticipates no increases in emissions as a result of the change in the mechanism of determining the maximum allowable inlet temperature. As discussed above, facilities have no control over the inlet temperature; the temperature of the sweep air to a large extent defines the inlet temperature. Facilities will not be increasing the inlet operating temperature as a result of this change but will be better able to schedule their periodic performance test as a result. Facilities will likely continue to aim to perform their performance tests at the highest temperature possible in order to best insulate themselves from potentially exceeding their maximum temperature limit as a result of higher ambient temperatures. The inclusion of the periodic performance test will also help ensure that emissions are maintained below the emission limit through the recurring measurement of actual emissions.

The EPA agrees that a clarification of which temperature scale the temperature is to be determined is necessary because the application of a 20-percent margin to temperature expressed in units other than degrees Celsius or degrees Fahrenheit would result in too large of an operating limit window (e.g., although 305 Kelvin is equal to about 90 degrees Fahrenheit, 20 percent of 305 Kelvin is very different from 20 percent of 90 degrees Fahrenheit). Therefore, the EPA is specifying in the final rule at item 12 of Table 3 that the temperature must be measured in units of degrees Celsius or degrees Fahrenheit. We acknowledge that the use of Celsius will result in a slightly more conservative temperature range (6.4 degrees Fahrenheit less when compared to the corresponding Fahrenheit range), but want to ensure the flexibility of either temperature scale for facilities.

Comment: One commenter pointed out that Table 3 to the proposed rule does not specify a required frequency for the EPA Method 22 visible emissions test. The commenter suggested EPA Method 22 should be conducted daily because it serves to ensure continued satisfactory performance of the emissions capture system. The commenter said that defects in the capture system and duct work leading to a control device should not be allowed to persist for 5 years before initiating corrective action.

Response: The EPA disagrees with the commenter that the frequency for EPA Method 22 evaluations is not specified in the rule. Table 3 to 40 CFR part 63, subpart LLLLL, presents the Requirements for Performance Tests; the frequency of these tests, after the initial Performance Test, is set in 40 CFR 63.8691(e). The EPA is clarifying that the visible emissions and opacity tests are included in the periodic performance tests by removing the phrase "during the initial compliance period described in 63.8686" from the appropriate rows in Table 4 to 40 CFR part 63, subpart LLLLL (Initial and Continuous Compliance With Emissions Limitations), dealing with opacity and visible emissions measurements. The inclusion of the EPA Method 22 visible emissions measurement during the performance test documents that, during the performance test, the emissions capture system was operating correctly and that emissions directed to the control device are maximized. The addition of a daily EPA Method 22 evaluation is not necessary. The requirement to limit visible emissions from the capture system is applicable at all times, and the continuing operation of the emissions capture system outside of the performance test is governed by the general duty to operate and maintain any affected source including the air pollution control equipment in a manner consistent with safety and good air pollution control practices.

Comment: One commenter supported the EPA's proposal to require performance testing within 3 years of publication and every 5 years thereafter, to ensure compliance. Another commenter said the requirement to perform testing once every 5 years is redundant with existing requirements. The commenter contended that facilities subject to the current NESHAP are subject to title V permitting, and many title V permits now require re-testing once every 5 years consistent with the title V renewal cycle.

Response: The EPA is finalizing the requirement that the performance tests must be conducted at least once every

5 years, as proposed; however, we are adding language to the final rule text at 40 CFR 63.8691(e)(1) to clarify that facilities are allowed to synchronize their periodic performance testing schedule with a previously conducted emission test, such as a test associated with title V permit renewal, provided the facility can demonstrate to the Administrator's satisfaction that the testing meets the requirements of 40 CFR 63.8686(b).

Comment: One commenter suggested that if the EPA will not reconsider the regulation requiring periodic testing every 5 years, then the EPA should propose an approach that allows testing to be curtailed after a facility demonstrates repeated compliance in successive testing events.

Response: The EPA is not revising the proposed rule to incorporate a reduction in testing frequency greater than 5 years. The EPA has, in some other rules, included a provision that allows for a reduction in the frequency of testing from annual to a 3 or 5-year period after multiple demonstrations of compliance. The 5-year interval for testing in this rule between performance tests would require at least 15 years to demonstrate a trend. Due to the timeframe of recurrent testing (once every 5 years) being promulgated in this rule, the EPA concludes that allowance for a reduced testing frequency is not warranted.

Comment: One commenter declared that the requirement for periodic testing is overly broad and fails to acknowledge both the costs incurred (direct and indirect) and whether additional testing would result in any environmental benefit. The commenter said the proposed rule would require performance testing of each control device used to comply with NESHAP standards for PM, THC, opacity, or visible emissions but argued that NESHAP regulations typically require testing only for the control devices on larger sources, not all control devices. The commenter recommended that for smaller control devices, opacity controls (e.g., mist eliminators), and flares, it should be adequate to operate and maintain each control device as recommended by the manufacturer. The commenter pointed out that petroleum refineries are not required to do any periodic testing for flares subject to the Petroleum Refineries NESHAP (40 CFR part 63, subpart CC). The commenter said that by focusing on only the largest emission sources, there is a clear environmental benefit from the testing, much less disruption to operations, and much less cost incurred by the operator. To the extent the EPA requires some periodic testing, the commenter

recommended that the testing requirement exclude opacity and visible emission control devices, the testing requirement exclude flares, and the periodic testing should focus only on the largest emitting source, where risk is determined to be higher or above some specified threshold.

Response: The EPA is finalizing the testing requirements as proposed. The EPA disagrees with the commenter's assertion that the NESHAP regulations typically require testing only for larger emissions sources. The periodic performance test on all sources (small and large) provides a demonstration that the control devices associated with these sources are continuing to operate as designed. The operation of mist eliminators is not merely to control opacity, but also to control emissions of the PM and organic compounds which cause the opacity. The visible emissions tests of the emissions capture system are integral to determining if the overall capture and control system are operating as designed. The commenter indicates that the Petroleum Refineries NESHAP (40 CFR part 63, subpart CC) does not have periodic testing for flares; however, the Petroleum Refineries NESHAP includes robust continuous monitoring requirements associated with flares that are not present in the Asphalt Processing and Asphalt Roofing Manufacturing NESHAP (40 CFR part 63, subpart LLLL).

Comment: One commenter argued that the net cost benefit that the EPA presents in its justification for added performance testing requirements is significantly overstated and may become a net burden. The commenter suggested the EPA develop more accurate estimates of testing costs to provide a more realistic estimate of the cost impact for the subject facilities. The commenter stated the EPA's cost estimate for performance testing assumes that each source to be tested has an existing emissions point that can actually be sampled, but this may not always be the case, and the costs of adding a stack, sampling ports, and/or sample platforms and ladders should be included. Additionally, the commenter said the EPA's performance test cost estimates for thermal oxidizers treating vent gas from blowing stills are too low. The commenter argued that the EPA underestimated the number of thermal oxidizer/blowing still tests required, and a test on a thermal oxidizer treating vent gas from one or more blowing stills typically requires testing over 3 separate workdays because only one test run can be completed in a typical workday. The commenter stated that blowing stills operate using a batch process that takes

up to 6 hours, and to assure the test measurements are representative of the batch cycle, testing is performed for the duration of a batch. The commenter said the cost for testing one thermal oxidizer associated with one or more blowing stills, with each test run covering an entire batch cycle of up to 6 hours, is \$44,000. Using this value, the commenter estimated total testing costs to be \$172,600 from an asphalt roofing facility that has five reactors controlled by two different thermal oxidizers which discharge to separate stacks. The commenter applied the increased blowing still/thermal oxidizer costs to the number of tests required for the four facilities that do not already have 5-year testing requirements under their respective state title V programs, and showed that the nationwide cost impact is \$309,100 rather than the EPA's estimate of \$138,800. The commenter said their cost estimate was more than double the estimate the EPA provided in Appendix A of the Cost Impacts memorandum. The commenter said their cost estimate is greater than the EPA's estimated cost savings of \$221,100 from proposed changes in monitoring requirements, resulting in a net cost burden rather than net cost benefit.

Response: The EPA agrees that further review of the costs is warranted and based on this review, we have revised our proposed cost impacts analysis. All sources required to be tested have existing initial performance testing requirements and so have already been tested at least once. Therefore, the additional costs for adding a stack, sampling ports, and/or sample platforms and ladders have not been added to the burden of this rule because we have assumed these items already exist (due to the existing initial performance testing requirements). However, the EPA agrees that, based on the longer run time duration for the blowing stills, the initial cost estimates for these tests was low. Therefore, we revised our cost impacts analysis to reflect the commenter's recommended higher blowing still/thermal oxidizer testing costs (i.e., \$44,000). We also revised the number of thermal oxidizer/blowing still tests required for one facility. Our revised analysis (even after considering the information provided by this commenter) still results in a net cost savings rather than a net cost burden as suggested by the commenter. We estimate that the final amendments will result in a nationwide net cost savings of \$132,000 (2017\$) over the 5-year period following promulgation of the amendments. For further information on

the costs and cost savings associated with the final amendments, see the memoranda, *Cost Impacts of Asphalt Processing and Asphalt Roofing Manufacturing Risk and Technology Review Final* and *Economic Impact Analysis for Asphalt Processing and Asphalt Roofing Manufacturing NESHAP RTR Final*, which are available in the docket for this action.

4. What is the rationale for our final approach and final decisions for the other amendments for the Asphalt Processing and Asphalt Roofing Manufacturing source categories?

We evaluated all of the comments on the EPA's proposed amendments for this subpart including the proposed technical and editorial corrections. For the reasons explained in the proposed rule (84 FR 18939), and in sections III.D and IV.D.3 of this preamble, we are finalizing these amendments.

V. Summary of Cost, Environmental, and Economic Impacts and Additional Analyses Conducted

A. What are the affected facilities?

There are four asphalt processing facilities, plus another four asphalt processing facilities collocated with asphalt roofing manufacturing facilities, currently operating as major sources of HAP. As such, eight facilities are subject to the final amendments. A complete list of facilities that are currently subject to the MACT standards is available in Appendix A of the memorandum titled *Clean Air Act Section 112(d)(6) Review for the Asphalt Processing and Asphalt Roofing Manufacturing Source Categories Final*, in Docket ID No. EPA-HQ-OAR-2017-0662.

B. What are the air quality impacts?

Because we are not establishing new numerical emission limits and are not requiring additional controls, no air quality impacts are expected as a result of the final amendments to the rule. Requiring periodic performance testing has the potential to reduce excess emissions from sources using poorly performing add-on controls, even though facilities are required to be in compliance at all times.

The final amendments will have no effect on the energy needs of the affected facilities in either source category and would, therefore, have no indirect or secondary air emissions impacts.

C. What are the cost impacts?

We revised our proposed cost impacts analysis based on a comment received during the public comment period (see section IV.D.3 of this preamble). We

estimate that the final amendments will result in a nationwide net present value of net cost savings of \$132,000 (2017\$) over the 5-year period following promulgation of amendments (2019–2023). The equivalent annualized value of these net cost savings is \$32,000 per year when costs are discounted at a 7-percent discount rate. Because periodic performance testing would be required every 5 years, we estimated and summarized the cost savings over a 5-year period. The costs associated with the final amendments are related to recordkeeping and reporting labor costs and periodic performance testing. The requirement for periodic testing of once every 5 years results in an estimated increase in the present value of costs of about \$252,000 over the 5-year period in addition to an estimated present value of costs of about \$4,000 for reviewing the final amendments. However, the changes to the monitoring requirements for PM control devices result in an estimated present value of cost savings of about \$388,000 over the 5-year period. Therefore, overall, we estimate the net present value of net cost savings of about \$132,000 for the 5-year period. The final amendments to the monitoring requirements are projected to alleviate some need for asphalt roofing manufacturing facilities to have to retest the PM control device for the sole purpose of reestablishing new temperature and pressure drop operating limits and to allow facilities to extend filter replacement by 3 months. For further information on the costs and cost savings associated with the final amendments, see the memoranda, *Cost Impacts of Asphalt Processing and Asphalt Roofing Manufacturing Risk and Technology Review Final* and *Economic Impact Analysis for Asphalt Processing and Asphalt Roofing Manufacturing NESHAP RTR Final*, which are available in the docket for this action.

D. What are the economic impacts?

As noted earlier, we estimated a nationwide cost savings associated with the final requirements over the 5-year period following promulgation of these amendments. This cost savings is not expected to have adverse economic impacts. For further information on the economic impacts associated with the final requirements, see the memorandum, *Economic Impact Analysis for Asphalt Processing and Asphalt Roofing Manufacturing NESHAP RTR Final*, which is available in the docket for this action.

E. What are the benefits?

The EPA is not finalizing changes to emissions limits, and we estimate the final changes (*i.e.*, changes to SSM, monitoring, recordkeeping, reporting) are not economically significant. Because these final amendments are not considered economically significant, as defined by Executive Order 12866, and because no emissions reductions were estimated, we did not estimate any benefits from reducing emissions.

F. What analysis of environmental justice did we conduct?

Executive Order 12898 (59 FR 7629, February 16, 1994) establishes Federal executive policy on environmental justice. Its main provision directs Federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

To examine the potential for any environmental justice issues that might be associated with the source category, we performed a demographic analysis, which is an assessment of risks to individual demographic groups of the populations living within 5 kilometers (km) and within 50 km of the facilities. In the analysis, we evaluated the distribution of HAP-related cancer and noncancer risks from the Asphalt Processing and Asphalt Roofing Manufacturing source categories across different demographic groups within the populations living near facilities.

Results of the demographic analysis indicate that, for six of the 11 demographic groups, African American, Native American, other and multiracial, ages 0–17, ages 18–64, and below the poverty level, the percentage of the population living within 5 km of facilities in the source categories is greater than the corresponding national percentage for the same demographic groups. When examining the risk levels of those exposed to emissions from asphalt processing and asphalt roofing manufacturing facilities, we find that no one is exposed to a cancer risk at or above 1-in-1 million or to a chronic noncancer TOSHI greater than 1.

The methodology and the results of the demographic analysis are presented in a technical report, *Risk and Technology Review—Analysis of Demographic Factors for Populations Living Near Asphalt Processing and Asphalt Roofing Manufacturing Source*

Categories Operations, available in the docket for this action.

G. What analysis of children's environmental health did we conduct?

This action is not subject to Executive Order 13045 because it is not economically significant as defined in Executive Order 12866, and because the EPA concludes, based on the results of the risk assessment, that the environmental health or safety risks addressed by this action do not present a disproportionate risk to children. This action's health and risk assessments are summarized in section IV.A of this preamble and are further documented in the risk report, *Residual Risk Assessment for the Asphalt Processing and Asphalt Roofing Manufacturing Source Categories in Support of the 2019 Risk and Technology Review Final Rule*, available in the docket for this action.

VI. Statutory and Executive Order Reviews

Additional information about these statutes and Executive orders can be found at <https://www.epa.gov/laws-regulations/laws-and-executive-orders>.

A. Executive Orders 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was, therefore, not submitted to the Office of Management and Budget (OMB) for review.

B. Executive Order 13771: Reducing Regulations and Controlling Regulatory Costs

This action is considered an Executive Order 13771 deregulatory action. Details on the estimated cost savings of this final rule can be found in the EPA's analysis of the potential costs and benefits associated with this action. See document titled *Economic Impact Analysis for Asphalt Processing and Asphalt Roofing Manufacturing NESHAP RTR Final*, which is available in the docket for this action.

C. Paperwork Reduction Act (PRA)

Information collection activities in this rule have been submitted for approval to OMB under the PRA. The ICR document that the EPA prepared has been assigned EPA ICR number 2598.02. You can find a copy of the ICR in the docket for this rule, and it is briefly summarized here. The information collection requirements are not enforceable until OMB approves them.

The EPA is not revising the numerical emission limitation requirements for this subpart. The EPA is finalizing a requirement to conduct control device performance testing no less frequently than once every 5 years. The EPA has also revised the SSM provisions of the rule and is requiring the use of electronic data reporting for future performance test results and reports, performance evaluation reports, compliance reports, and NOCS reports. This information would be collected to assure compliance with 40 CFR part 63, subpart LLLLL.

Respondents/affected entities:

Owners or operators of asphalt processing facilities and asphalt roofing manufacturing facilities.

Respondent's obligation to respond:

Mandatory (40 CFR part 63, subpart LLLLL).

Estimated number of respondents: Eight (total).

Frequency of response: Initial, semiannual, and annual.

Total estimated burden: 69 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: \$95,900 (per year), which includes \$88,400 annualized capital and operation and maintenance costs.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9.

D. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action will not impose any requirements on small entities. There are no small entities affected in this regulated industry. See the document, *Economic Impact Analysis for Asphalt Processing and Asphalt Roofing Manufacturing NESHAP RTR Final*, available in the docket for this action.

E. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of \$100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local, or tribal governments or the private sector.

F. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial

direct effects on the states, on the relationship between the National Government and the states, or on the distribution of power and responsibilities among the various levels of government.

G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. None of the eight asphalt processing and asphalt roofing manufacturing facilities that have been identified as being affected by this final action are owned or operated by tribal governments or located within tribal lands. Thus, Executive Order 13175 does not apply to this action.

H. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

This action is not subject to Executive Order 13045 because it is not economically significant as defined in Executive Order 12866, and because the EPA concludes, based on the results of the risk assessment, that the environmental health or safety risks addressed by this action do not present a disproportionate risk to children. This action's health and risk assessments are contained in section IV.A of this preamble.

I. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

J. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51

This rulemaking involves technical standards. As discussed in the preamble of the proposal, the EPA conducted searches for the Asphalt Processing and Asphalt Roofing Manufacturing NESHAP through the Enhanced National Standards Systems Network Database managed by the American National Standards Institute. We also contacted voluntary consensus standards (VCS) organizations and accessed and searched their databases. We conducted searches for EPA Methods 3A, 5A, 9, 10, 22, and 25A of 40 CFR part 60, appendix A. During the EPA's VCS search, if the title or abstract (if provided) of the VCS described technical sampling and analytical procedures that are similar to the EPA's

reference method, the EPA reviewed it as a potential equivalent method.

The EPA incorporates by reference ASTM D7520–16, “Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere,” with conditions as an acceptable alternative to EPA Method 9. We note that this version of the method (i.e., ASTM D7520–16) is a newer version than what we proposed (i.e., ASTM D7520–2013). The same proposed conditions apply to this newer version; therefore, we are finalizing these conditions, as proposed. The method provides procedures for determining the opacity of a plume, using digital imagery and associated hardware and software. During the DCOT certification procedure outlined in Section 9.2 of ASTM D7520–16, the owner or operator or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand). The owner or operator must also have standard operating procedures in place, including daily or other frequency quality checks, to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520–16. The owner or operator must follow the recordkeeping procedures outlined in 40 CFR 63.10(b)(1) for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEG formatted images used for opacity and certification determination. The owner or operator or the DCOT vendor must have a minimum of four (4) independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15-percent opacity of any one reading, and the average error must not exceed 7.5-percent opacity. This approval does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software, and operator in accordance with ASTM D7520–16 and this letter is on the facility, DCOT operator, and DCOT vendor. This method is available at ASTM International, 1850 M Street NW, Suite 1030, Washington, DC 20036. See <https://www.astm.org/>.

The EPA decided not to include 11 other VCS; these methods are impractical as alternatives because of the lack of equivalency, documentation, validation date, and other important technical and policy considerations.

The search and review results have been documented and are in the memorandum, *Voluntary Consensus Standard Results for National Emission Standards for Hazardous Air Pollutants for Asphalt Processing and Asphalt Roofing Manufacturing*, which is available in the docket for this action.

Under 40 CFR 63.7(f) and 40 CFR 63.8(f) of subpart A of the General Provisions, a source may apply to the EPA for permission to use alternative test methods or alternative monitoring requirements in place of any required testing methods, performance specifications, or procedures in the final rule or any amendments.

K. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

The EPA concludes, based on the results of an analysis of demographic factors, that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations, and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994).

The documentation for this decision is contained in section IV.A of this preamble and in the technical report, *Risk and Technology Review—Analysis of Demographic Factors for Populations Living Near Asphalt Processing and Asphalt Roofing Manufacturing Source Categories Operations*, available in the docket for this action.

L. Congressional Review Act (CRA)

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 63

Environmental protection, Administrative practice and procedures, Air pollution control, Hazardous substances, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: January 30, 2020.

Andrew R. Wheeler,
Administrator.

For the reasons set forth in the preamble, the EPA is amending 40 CFR part 63 as follows:

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

■ 1. The authority citation for part 63 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart A—General Provisions

■ 2. Section 63.14 is amended by revising paragraph (h)(102) to read as follows:

§ 63.14 Incorporations by reference.

* * * * *

(h) * * *

(102) ASTM D7520–16, Standard Test Method for Determining the Opacity of a Plume in the Outdoor Ambient Atmosphere, approved April 1, 2016, IBR approved for § 63.1625(b) and table 3 to subpart LLLLL.

* * * * *

Subpart LLLLL—National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing

■ 3. Section 63.8681 is amended by revising paragraph (a) and removing and reserving paragraph (f) to read as follows:

§ 63.8681 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate an asphalt processing facility or an asphalt roofing manufacturing facility, as defined in § 63.8698, that is a major source as defined in § 63.2, or is located at, or is part of a major source as defined in § 63.2.

* * * * *

■ 4. Section 63.8683 is amended by revising paragraphs (c) introductory text and (d) to read as follows:

§ 63.8683 When must I comply with this subpart?

* * * * *

(c) If you have an area source that increases its emissions or its potential to emit such that it becomes a (or part of a) major source as defined in § 63.2, then the following requirements apply:

* * * * *

(d) You must meet the notification requirements in § 63.8692 according to the schedules in §§ 63.8692 and 63.9(a) through (f) and (h). Some of the notifications must be submitted before you are required to comply with the emission limitations in this subpart.

■ 5. Section 63.8684 is amended by revising the section heading to read as follows:

§ 63.8684 What emission limitations and operating limits must I meet?

■ 6. Section 63.8685 is amended by revising paragraphs (a) through (c) to read as follows:

§ 63.8685 What are my general requirements for complying with this subpart?

(a) Before September 9, 2020, you must be in compliance with the emission limitations (including operating limits) in this subpart at all times, except during periods of startup, shutdown, and malfunction. On and after September 9, 2020, you must be in compliance with the emission limitations (including operating limits) in this subpart at all times, except during periods of nonoperation of the affected source (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies.

(b) Before September 9, 2020, you must always operate and maintain your affected source, including air pollution control and monitoring equipment, according to the provisions in § 63.6(e)(1)(i). On and after September 9, 2020, 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 the applicable standard have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the Administrator that 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 affected source.

(c) Before September 9, 2020, you must develop a written startup, shutdown, and malfunction plan (SSMP) according to the provisions in § 63.6(e)(3). On and after September 9, 2020, a startup, shutdown, and malfunction plan is not required.

* * * * *

■ 7. Section 63.8686 is amended by:

- a. Revising the section heading;
- b. Revising paragraphs (a) and (b)(3); and
- c. Adding paragraph (b)(4).

The revisions and addition read as follows:

§ 63.8686 By what date must I conduct initial performance tests or other initial compliance demonstrations?

(a) For existing affected sources, you must conduct initial performance tests no later than 180 days after the compliance date that is specified for your source in § 63.8683 and according to the provisions in § 63.7(a)(2).

(b) * * *

(3) The control device and process parameter values established during the previously-conducted emission test are used to demonstrate continuous compliance with this subpart; and

(4) The previously-conducted emission test was completed within the last 60 months.

* * * * *

■ 8. Section 63.8687 is amended by revising paragraph (b) and removing and reserving paragraph (c) to read as follows:

§ 63.8687 What performance tests, design evaluations, and other procedures must I use?

* * * * *

(b) Each performance test must be conducted under normal operating conditions and under the conditions specified in Table 3 to this subpart. Operations during periods of startup, shutdown, or nonoperation do not constitute representative conditions for purposes of conducting a performance test. You may not conduct performance tests during periods of malfunction. You must record the process information that is necessary to document operating conditions during the test and explain why the conditions represent normal operation. Upon request, you must make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

* * * * *

■ 9. Section 63.8688 is amended by revising paragraphs (f) and (h) to read as follows:

§ 63.8688 What are my monitoring installation, operation, and maintenance requirements?

* * * * *

(f) As an option to installing the CPMS specified in paragraph (a) of this section, you may install a continuous emissions monitoring system (CEMS) or a continuous opacity monitoring system (COMS) that meets the applicable requirements in § 63.8 according to Table 7 to this subpart and the applicable performance specifications of 40 CFR part 60, appendix B.

* * * * *

(h) In your site-specific monitoring plan, you must also address the following:

(1) Ongoing operation and maintenance procedures in accordance with the general requirements of § 63.8(c)(1)(ii), (c)(3), (c)(4)(ii), and (c)(7) and (8);

(2) Ongoing data quality assurance procedures in accordance with the general requirements of § 63.8(d); and

(3) Ongoing recordkeeping and reporting procedures in accordance with §§ 63.8693 and 63.8694 and the general requirements of § 63.10(e)(1) and (e)(2)(i).

* * * * *

■ 10. Section 63.8689 is amended by revising paragraph (b) and adding paragraph (d) to read as follows:

§ 63.8689 How do I demonstrate initial compliance with the emission limitations?

* * * * *

(b) Except as specified in paragraph (d) of this section, you must establish each site-specific operating limit in Table 2 to this subpart that applies to you according to the requirements in § 63.8687 and Table 3 to this subpart.

* * * * *

(d) For control devices used to comply with the particulate matter standards in Table 1 to this subpart, you may establish any of the operating limits for pressure drop range (*i.e.*, a minimum and a maximum pressure drop) across the control device using manufacturers' specifications in lieu of complying with paragraph (b) of this section.

■ 11. Section 63.8690 is amended by revising paragraph (b) to read as follows:

§ 63.8690 How do I monitor and collect data to demonstrate continuous compliance?

* * * * *

(b) Before September 9, 2020, except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), you must monitor continuously (or collect data at all required intervals) at all times that the affected source is operating including periods of startup, shutdown, and malfunction when the affected source is operating. On and after September 9, 2020, you must monitor and collect data at all times in accordance with § 63.8685(b), except during periods of nonoperation of the affected source (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies.

* * * * *

■ 12. Section 63.8691 is amended by:

- a. Revising the section heading;
- b. Revising paragraphs (a), (b), and (d); and
- c. Adding paragraph (e).

The revisions and addition read as follows:

§ 63.8691 How do I conduct periodic performance tests and demonstrate continuous compliance with the emission limitations and operating limits?

(a) You must demonstrate continuous compliance with each operating limit in Table 2 to this subpart that applies to you according to the procedures specified in Table 5 to this subpart, and you must conduct performance tests as specified in paragraph (e) of this section.

(b) Before September 9, 2020, you must report each instance in which you did not meet each operating limit in Table 5 to this subpart that applies to you. This includes periods of startup, shutdown, and malfunction. These instances are deviations from the emission limitations in this subpart. These deviations must be reported according to the requirements in § 63.8693. On and after September 9, 2020, you must report each instance in which you did not meet each operating limit in Table 5 to this subpart that applies to you, except during periods of nonoperation of the affected source (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies.

* * * * *

(d) Before September 9, 2020, consistent with §§ 63.6(e) and 63.7(e)(1), deviations that occur during a period of startup, shutdown, or malfunction are not violations if you demonstrate to the Administrator's satisfaction that you were operating in accordance with § 63.6(e)(1). The Administrator will determine whether deviations that occur during a period of startup, shutdown, or malfunction are violations, according to the provisions in § 63.6(e). On and after September 9, 2020, this paragraph (d) no longer applies.

(e) For each control device used to comply with the PM, THC, opacity, or visible emission standards of this subpart, you must conduct periodic performance tests using the applicable procedures specified in § 63.8687 and Table 4 to this subpart to demonstrate compliance with § 63.8684(a), and to confirm or reestablish the operating limits required by § 63.8684(b). You must conduct periodic performance tests according to the schedule specified in paragraphs (e)(1) through (3) of this section.

(1) Except as specified in paragraph (e)(3) of this section, for each existing

affected source, and for each new and reconstructed affected source that commences construction or reconstruction after November 21, 2001 and on or before March 12, 2020, you must conduct the first periodic performance test on or before March 13, 2023. As an alternative to the first periodic performance test, you may use the results of a previously-conducted emission test to demonstrate compliance with the emission limitations in this subpart, such as tests for renewing your facility's operating permit under 40 CFR part 70 or 40 CFR part 71, if you demonstrate to the Administrator's satisfaction that it meets the requirements of § 63.8686(b)(1) through (4). The subsequent periodic performance tests must be conducted no later than 60 months thereafter following the previous performance test.

(2) Except as specified in paragraph (e)(3) of this section, for each new and reconstructed affected source that commences construction or reconstruction after March 12, 2020, you must conduct the first periodic performance test no later than 60 months following the initial performance test required by § 63.8689. If you used the alternative compliance option specified in § 63.8686(b) to comply with the initial performance test, then you must conduct the first periodic performance test no later than 60 months following the date you demonstrated to the Administrator that the requirements of § 63.8686(b) had been met.

(3) If an affected source is not operating on the dates the periodic performance test is required to be conducted as specified in paragraph (e)(1) or (2) of this section, then you are not required to restart the affected source for the sole purpose of complying with paragraph (e)(1) or (2) of this section. Instead, upon restart of the affected source, you must conduct the first periodic performance test within 60 days of achieving normal operating conditions but no later than 180 days from startup. You must conduct subsequent periodic performance tests no later than 60 months thereafter following the previous performance test.

■ 13. Section 63.8692 is amended by revising paragraphs (a), (e), and (f) to read as follows:

§ 63.8692 What notifications must I submit and when?

(a) You must submit all the notifications in §§ 63.6(h)(4) and (5), 63.7(b) and (c), 63.8(f), and 63.9(b) through (f) and (h) that apply to you by the dates specified in these sections,

except as provided in paragraphs (b) through (f) of this section.

* * * * *

(e) If you are required to conduct a performance test, design evaluation, opacity observation, visible emission observation, or other compliance demonstration as specified in Table 3 or 4 to this subpart, you must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii). You must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th calendar day following the completion of the performance test according to § 63.10(d)(2). On and after September 9, 2020, you must submit all subsequent Notification of Compliance Status reports to EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). If you claim some of the information required to be submitted via CEDRI is confidential business information (CBI), then submit a complete report, including information claimed to be CBI, to EPA. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to EPA via EPA's CDX as described earlier in this paragraph (e). You may assert a claim of EPA system outage or force majeure for failure to timely comply with the reporting requirement in this paragraph (e) provided you meet the requirements outlined in § 63.8693(h) or (i), as applicable.

(f) If you are using data from a previously-conducted emission test to serve as documentation of conformance with the emission standards and operating limits of this subpart as specified in § 63.8686(b), you must submit the test data in lieu of the initial performance test results with the Notification of Compliance Status required under paragraph (e) of this section.

■ 14. Section 63.8693 is amended by:

- a. Adding paragraph (b)(6);
- b. Revising paragraphs (c)(4) and (5), (d) introductory text, (d)(1) through (4), and (d)(6);
- c. Adding paragraph (d)(13);
- d. Revising paragraph (f); and
- e. Adding paragraphs (g) through (i).

The revisions and additions read as follows:

§ 63.8693 What reports must I submit and when?

* * * * *

(b) * * *

(6) On and after September 9, 2020, you must submit all compliance reports to EPA via the CEDRI, which can be accessed through EPA's CDX (<https://cdx.epa.gov/>). You must use the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>) for this subpart. The date report templates become available will be listed on the CEDRI website. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. If you claim some of the information required to be submitted via CEDRI is CBI, submit a complete report, including information claimed to be CBI, to EPA. The report must be generated using the appropriate form on the CEDRI website or an alternate electronic file consistent with the extensible markup language (XML) schema listed on the CEDRI website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to EPA via EPA's CDX as described earlier in this paragraph (b)(6). You may assert a claim of EPA system outage or force majeure for failure to timely comply with the reporting requirement in this paragraph (b)(6) provided you meet the requirements outlined in § 63.8693(h) or (i), as applicable.

(c) * * *

(4) Before September 9, 2020, if you had a startup, shutdown, or malfunction during the reporting period and you took actions consistent with your SSMP, the compliance report must include the information in § 63.10(d)(5)(i). On and after September 9, 2020, this paragraph (c)(4) no longer applies.

(5) For each reporting period, you must include in the compliance report the total number of deviations that occurred during the reporting period. If there are no deviations from any emission limitations (emission limit, operating limit, opacity limit, and visible emission limit) in § 63.8684 that apply to you, then you must include a statement that there were no deviations from the emission limitations during the reporting period.

(d) For each deviation from an emission limitation (emission limit, operating limit, opacity limit, and visible emission limit) in § 63.8684, you must include in the compliance report the information in paragraphs (c)(1) through (6) of this section, and the information in paragraphs (d)(1) through (13) of this section.

(1) The start date, start time, and duration of each malfunction.

(2) For each instance that the CPMS, CEMS, or COMS was inoperative, except for zero (low-level) and high-level checks, the start date, start time, and duration that the CPMS, CEMS, or COMS was inoperative; the cause (including unknown cause) for the CPMS, CEMS, or COMS being inoperative; and descriptions of corrective actions taken.

(3) For each instance that the CPMS, CEMS, or COMS was out-of-control as specified in § 63.8(c)(7), the start date, start time, and duration that the CPMS, CEMS, or COMS was out-of-control, including the information in § 63.8(c)(8).

(4) Before September 9, 2020, the start date, start time, and duration of the deviation, and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period. On and after September 9, 2020, the start date, start time, and duration of the deviation including a description of the deviation and the actions you took to minimize emissions in accordance with § 63.8685(b). You must also include:

(i) A list of the affected sources or equipment for which the deviation occurred;

(ii) The cause of the deviation (including unknown cause, if applicable); and

(iii) Any corrective actions taken to return the affected unit to its normal or usual manner of operation.

* * * * *

(6) Before September 9, 2020, a breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes. On and after September 9, 2020, a breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.

* * * * *

(13) On and after September 9, 2020, for each deviation from an emission limitation in § 63.8684, you must include an estimate of the quantity of

each regulated pollutant emitted over any emission limitation in § 63.8684, and a description of the method used to estimate the emissions.

* * * * *

(f) On and after September 9, 2020, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedures specified in paragraphs (f)(1) through (3) of this section.

(1) *Data collected using test methods supported by EPA's Electronic Reporting Tool (ERT) as listed on EPA's ERT website* (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test. Submit the results of the performance test to EPA via the CEDRI, which can be accessed through EPA's CDX (<https://cdx.epa.gov/>). The data must be submitted in a file format generated through the use of EPA's ERT. Alternatively, you may submit an electronic file consistent with the XML schema listed on EPA's ERT website.

(2) *Data collected using test methods that are not supported by EPA's ERT as listed on EPA's ERT website at the time of the test.* The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on EPA's ERT website. Submit the ERT generated package or alternative file to EPA via CEDRI.

(3) *CBI.* If you claim some of the information submitted under paragraph (f)(1) of this section is CBI, you must submit a complete file, including information claimed to be CBI, to EPA. The file must be generated through the use of EPA's ERT or an alternate electronic file consistent with the XML schema listed on EPA's ERT website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to EPA via EPA's CDX as described in paragraph (f)(1) of this section.

(g) On and after September 9, 2020, within 60 days after the date of completing each continuous monitoring system (CMS) performance evaluation (as defined in § 63.2) as specified in your site-specific monitoring plan, you must submit the results of the performance evaluation following the procedures specified in paragraphs (g)(1) through (3) of this section.

(1) *Performance evaluations of CMS measuring relative accuracy test audit (RATA) pollutants that are supported by EPA's ERT as listed on EPA's ERT website at the time of the evaluation.*

Submit the results of the performance evaluation to EPA via CEDRI, which can be accessed through EPA's CDX. The data must be submitted in a file format generated through the use of EPA's ERT. Alternatively, you may submit an electronic file consistent with the XML schema listed on EPA's ERT website.

(2) *Performance evaluations of CMS measuring RATA pollutants that are not supported by EPA's ERT as listed on EPA's ERT website at the time of the evaluation.* The results of the performance evaluation must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on EPA's ERT website. Submit the ERT generated package or alternative file to EPA via CEDRI.

(3) *CBI.* If you claim some of the information submitted under paragraph (g)(1) of this section is CBI, you must submit a complete file, including information claimed to be CBI, to EPA. The file must be generated through the use of EPA's ERT or an alternate electronic file consistent with the XML schema listed on EPA's ERT website. Submit the file on a compact disc, flash drive, or other commonly used electronic storage medium and clearly mark the medium as CBI. Mail the electronic medium to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to EPA via EPA's CDX as described in paragraph (g)(1) of this section.

(h) If you are required to electronically submit a report through CEDRI in EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with the reporting requirement in this section. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (h)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as

possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) Measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(i) If you are required to electronically submit a report through CEDRI in EPA's CDX, you may assert a claim of force majeure for failure to timely comply with the reporting requirement in this section. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (i)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) Measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

■ 15. Section 63.8694 is amended by revising paragraph (a)(2) and adding paragraph (e) to read as follows:

§ 63.8694 What records must I keep?

(a) * * *

(2) Before September 9, 2020, the records in § 63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction. On and after September 9, 2020, this paragraph (a)(2) no longer applies.

* * * * *

(e) Any records required to be maintained by this part that are submitted electronically via EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or EPA as part of an on-site compliance evaluation.

■ 16. Section 63.8697 is amended by revising paragraph (b)(1) to read as follows:

§ 63.8697 Who implements and enforces this subpart?

* * * * *

(b) * * *

(1) Approval of alternatives to the requirements in §§ 63.8681, 63.8682, 63.8683, 63.8684, 63.8685, 63.8686, 63.8687, 63.8688, 63.8689, 63.8690, and 63.8691.

* * * * *

■ 17. Section 63.8698 is amended by revising definitions of "Adhesive applicator," "Deviation," and "Sealant applicator" to read as follows:

§ 63.8698 What definitions apply to this subpart?

* * * * *

Adhesive applicator means the equipment that uses open pan-type application (e.g., a roller partially submerged in an open pan of adhesive) to apply adhesive to roofing shingles for

producing laminated or dimensional roofing shingles.

* * * * *

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 (including any operating limit), or work practice standard;

(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) Before September 9, 2020, fails to meet any emission limitation (including any operating limit) or work practice standard in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart. On and after September 9, 2020, this paragraph (3) no longer applies.

* * * * *

Sealant applicator means the equipment that uses open pan-type application (e.g., a roller partially submerged in an open pan of sealant) to apply a sealant strip to a roofing product. The sealant strip is used to seal overlapping pieces of roofing product after they have been applied.

* * * * *

■ 18. Table 1 to subpart LLLLL of part 63 is amended by revising row 1 and footnote b to read as follows:

TABLE 1 TO SUBPART LLLLL OF PART 63—EMISSION LIMITATIONS

For—	You must meet the following emission limitation—
1. Each blowing still, Group 1 asphalt loading rack, and Group 1 asphalt storage tank at existing, new, and reconstructed asphalt processing facilities; and each Group 1 asphalt storage tank at existing, new, and reconstructed asphalt roofing manufacturing lines; and each coating mixer, saturator (including wet looper), coater, sealant applicator, and adhesive applicator at new and reconstructed asphalt roofing manufacturing lines.	a. Reduce total hydrocarbon mass emissions by 95 percent, or to a concentration of 20 ppmv, on a dry basis corrected to 3 percent oxygen; b. Route the emissions to a combustion device achieving a combustion efficiency of 99.5 percent; c. Route the emissions to a combustion device that does not use auxiliary fuel achieving a total hydrocarbon (THC) destruction efficiency of 95.8 percent; d. Route the emissions to a boiler or process heater with a design heat input capacity of 44 megawatts (MW) or greater; e. Introduce the emissions into the flame zone of a boiler or process heater; or f. Route emissions to a flare meeting the requirements of § 63.11(b).
* * * * *	* * * * *

^b The opacity limit can be exceeded for one consecutive 15-minute period in any 24-hour period when the storage tank transfer lines are being cleared. During this 15-minute period, the control device must not be bypassed. If the emissions from the asphalt storage tank are ducted to the saturator control device, the combined emissions from the saturator and storage tank must meet the 20 percent opacity limit (specified in 3.a of Table 1 to this subpart) during this 15-minute period. At any other time, the opacity limit applies to Group 2 asphalt storage tanks.

■ 19. Table 2 to subpart LLLLL of part 63 is amended by revising rows 3 and 4 and footnotes a and c to read as follows:

TABLE 2 TO SUBPART LLLLL OF PART 63—OPERATING LIMITS

For—	You must ^a
3. Control devices used to comply with the particulate matter standards..	a. Maintain the 3-hour average ^b inlet gas temperature at or below the operating limit established during the performance test; and b. Maintain the 3-hour average ^b pressure drop across the device ^c within the operating range limits (i.e., at or above a minimum pressure drop and at or below a maximum pressure drop) established during the performance test, or as an alternative, established according to the manufacturer's specifications as specified in § 63.8689(d).
4. Other control devices that are neither a combustion device nor a control device used to comply with the particulate matter emission standards.	Maintain the approved monitoring parameters within the operating limits established during the performance test.

^a The operating limits specified in Table 2 to this subpart are applicable if you are monitoring control device operating parameters to demonstrate continuous compliance. If you are using a CEMS or COMS, you must maintain emissions below the value established during the initial performance test.

^b A 15-minute averaging period can be used as an alternative to the 3-hour averaging period for this parameter.

^c As an alternative to monitoring the pressure drop across the control device, owners or operators using an ESP to achieve compliance with the emission limits specified in Table 1 to this subpart can monitor the voltage to the ESP. If this option is selected, the ESP voltage must be maintained at or above the operating limit established during the performance test.

■ 20. Table 3 to subpart LLLLL of part 63 is amended by revising rows 1, 7,

and 11 through 13 and footnotes a and

c and adding footnotes d through f to read as follows:

TABLE 3 TO SUBPART LLLLL OF PART 63—REQUIREMENTS FOR PERFORMANCE TESTS ^{a b}

For—	You must—	Using—	According to the following requirements—
1. All particulate matter, total hydrocarbon, carbon monoxide, and carbon dioxide emission tests.	a. Select sampling port's location and the number of traverse points.	i. EPA test method 1 or 1A in appendix A to part 60 of this chapter.	A. For demonstrating compliance with the total hydrocarbon percent reduction standard, the sampling sites must be located at the inlet and outlet of the control device prior to any releases to the atmosphere. B. For demonstrating compliance with the particulate matter mass emission rate, THC destruction efficiency, THC outlet concentration, or combustion efficiency standards, the sampling sites must be located at the outlet of the control device prior to any releases to the atmosphere.
7. All opacity tests	Conduct opacity observations ..	EPA test method 9 in appendix A to part 60 of this chapter, or ASTM D7520–16 ^{d f} .	Conduct opacity observations for at least 3 hours and obtain 30, 6-minute averages.
11. Each combustion device	Establish a site-specific combustion zone temperature operating limit.	Data from the CPMS and the applicable performance test method(s).	You must collect combustion zone temperature data every 15 minutes during the entire period of the 3-hour performance test, and determine the average combustion zone temperature over the 3-hour performance test by computing the average of all of the 15-minute readings.
12. Each control device used to comply with the particulate matter emission standards.	Establish a site-specific inlet gas temperature operating limit; and if not complying with § 63.8689(d), also establish site-specific limits for the pressure drop range (i.e., a minimum and a maximum pressure drop) across the device ^e .	Data from the CPMS and the applicable performance test method(s).	You must collect the inlet gas temperature and pressure drop ^b data every 15 minutes during the entire period of the 3-hour performance test, and determine the average inlet gas temperature and pressure drop ^c over the 3-hour performance test by computing the average of all of the 15-minute readings. The inlet gas temperature operating limit is set at +20 percent of the test run average inlet gas temperature measured in units of degrees Celsius or degrees Fahrenheit. The maximum (or minimum) pressure drop is set as the maximum (or minimum) average pressure drop of the performance test runs which demonstrated compliance with the applicable emission limit.
13. Each control device that is neither a combustion device nor a control device used to comply with the particulate matter emission standards.	Establish site-specific monitoring parameters.	Process data and data from the CPMS and the applicable performance test method(s).	You must collect monitoring parameter data every 15 minutes during the entire period of the 3-hour performance test, and determine the average monitoring parameter values over the 3-hour performance test by computing the average of all of the 15-minute readings.

^a For initial performance tests, as specified in § 63.8686(b), you may request that data from a previously-conducted emission test serve as documentation of conformance with the emission standards and operating limits of this subpart.

^b Performance tests are not required if: (1) The emissions are routed to a boiler or process heater with a design heat input capacity of 44 MW or greater; or (2) the emissions are introduced into the flame zone of a boiler or process heater.

^c As an alternative to monitoring the pressure drop across the control device, owners or operators using an ESP to achieve compliance with the emission limits specified in Table 1 to this subpart can monitor the voltage to the ESP.

^d If you use ASTM D7520–16 in lieu of EPA test method 9, then you must comply with the conditions specified in this footnote. During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520–16, you or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand). You must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520–16. You must follow the record keeping procedures outlined in § 63.10(b)(1) for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination. You or the DCOT vendor must have a minimum of four (4) independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of any one reading and the average error must not exceed 7.5 percent opacity. This approval does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software and operator in accordance with ASTM D7520–16 and this letter is on the facility, DCOT operator, and DCOT vendor.

^e You may conduct two separate performance tests to establish the operating limits for pressure drop range (i.e., one performance test to establish a minimum pressure drop operating limit and one performance test to establish a maximum pressure drop operating limit); however, you may choose to establish either, or both, the minimum and maximum pressure drop operating limits using the requirements of § 63.8689(d) in lieu of the requirements specified in this Table.

^f Incorporated by reference, see § 63.14.

■ 21. Table 4 to subpart LLLLL of part 63 is amended by revising the table heading, the fourth column heading, and rows 4 and 5 to read as follows:

TABLE 4 TO SUBPART LLLLL OF PART 63—INITIAL AND CONTINUOUS COMPLIANCE WITH EMISSION LIMITATIONS

For—	For the following emission limitation—	You have demonstrated compliance if—
4. Each saturator (including wet loop) and coater at an existing, new, or reconstructed asphalt roofing manufacturing line.	a. Limit visible emissions from the emissions capture system to 20 percent of any period of consecutive valid observations totaling 60 minutes. b. Limit opacity emissions to 20 percent	The visible emissions, measured using EPA test method 22 in appendix A to part 60 of this chapter, for any period of consecutive valid observations totaling 60 minutes do not exceed 20 percent. The opacity, measured using EPA test method 9 in appendix A to part 60 of this chapter, for each of the first 30 6-minute averages does not exceed 20 percent.

TABLE 4 TO SUBPART LLLLL OF PART 63—INITIAL AND CONTINUOUS COMPLIANCE WITH EMISSION LIMITATIONS—
Continued

For—	For the following emission limitation—	You have demonstrated compliance if—
5. Each Group 2 asphalt storage tank at existing, new, and reconstructed asphalt processing facilities and asphalt roofing manufacturing lines.	Limit exhaust gases to 0 percent opacity	The opacity, measured using EPA test method 9 in appendix A to part 60 of this chapter, for each of the first 30 6-minute averages does not exceed 0 percent.

* * * * *

■ 22. Table 5 to subpart LLLLL of part 63 is amended by revising rows 3 and

4 and footnotes a and d to read as follows:

TABLE 5 TO SUBPART LLLLL OF PART 63—CONTINUOUS COMPLIANCE WITH OPERATING LIMITS ^a

For—	For the following operating limit—	You must demonstrate continuous compliance by—
3. Control devices used to comply with the particulate matter emission standards.	a. Maintain the 3-hour^c average inlet gas temperature at or below the operating limit established during the performance test; and. b. Maintain the 3-hour^c average pressure drop across device^d within the operating range limits that were established pursuant to § 63.8689(b) and/or (d).	i. Passing the emissions through the control device; and ii. Collecting the inlet gas temperature and pressure drop^d data according to § 63.8688(b) and (c); and iii. Reducing inlet gas temperature and pressure drop^d data to 3-hour^c averages according to calculations in Table 3 to this subpart; and iv. Maintaining the 3-hour^c average inlet gas temperature within the level established during the performance test; and v. Maintaining the 3-hour^c average pressure drop across device^d within the level established pursuant to § 63.8689(b) and/or (d).
4. Other control devices that are neither a combustion device nor a control device used to comply with the particulate matter emission standards.	a. Maintain the monitoring parameters within the operating limits established during the performance test.	i. Passing the emissions through the devices; ii. Collecting the monitoring parameter data according to § 63.8688(d); and iii. Reducing the monitoring parameter data to 3-hour^c averages according to calculations in Table 3 to this subpart; and iv. Maintaining the monitoring parameters within the level established during the performance test.

^a The operating limits specified in Table 2 to this subpart and the requirements specified in Table 5 to this subpart are applicable if you are monitoring control device operating parameters to demonstrate continuous compliance. If you use a CEMS or COMS to demonstrate compliance with the emission limits, you are not required to record control device operating parameters. However, you must maintain emissions below the value established during the initial performance test. Data from the CEMS and COMS must be reduced as specified in §§ 63.8690 and 63.8(g)(1) through (4).

^c A 15-minute averaging period can be used as an alternative to the 3-hour averaging period for this parameter.

^d As an alternative to monitoring the pressure drop across the control device, owners or operators using an ESP to achieve compliance with the emission limits specified in Table 1 to this subpart can monitor the voltage to the ESP. If this option is selected, the ESP voltage must be maintained at or above the operating limit established during the performance test.

■ 23. Table 6 to subpart LLLLL of part 63 is amended by revising rows 4, 5, and 6 and adding row 7 to read as follows:

TABLE 6 TO SUBPART LLLLL OF PART 63—REQUIREMENTS FOR REPORTS

You must submit—	The report must contain—	You must submit the report—
4. Notification of compliance status	The information in § 63.9(h)(2) through (5), as applicable.	According to the requirements in §§ 63.8692(e) and 63.9(h)(2) through (5), as applicable.

TABLE 6 TO SUBPART LLLLL OF PART 63—REQUIREMENTS FOR REPORTS—Continued

You must submit—	The report must contain—	You must submit the report—
5. A compliance report	a. A statement that there were no deviations from the emission limitations during the reporting period, if there are no deviations from any emission limitations (emission limit, operating limit, opacity limit, and visible emission limit) that apply to you. b. If there were no periods during which the CPMS, CEMS, or COMS was out-of-control as specified in § 63.8(c)(7), a statement that there were no periods during which the CPMS, CEMS, or COMS was out-of-control during the reporting period. c. If you have a deviation from any emission limitation (emission limit, operating limit, opacity limit, and visible emission limit), the report must contain the information in § 63.8693(c) and (d). d. Before September 9, 2020, if you had a startup, shutdown or malfunction during the reporting period and you took actions consistent with your startup, shutdown, and malfunction plan, the compliance report must include the information in § 63.10(d)(5)(i). On and after September 9, 2020, this paragraph no longer applies.	Semiannually according to the requirements in § 63.8693(b). Semiannually according to the requirements in § 63.8693(b). Semiannually according to the requirements in § 63.8693(b). Semiannually according to the requirements in § 63.8693(b).
6. An immediate startup, shutdown, and malfunction report if you have a startup, shutdown, or malfunction during the reporting period before September 9, 2020, and actions taken were not consistent with your startup, shutdown, and malfunction plan. On and after September 9, 2020, this paragraph no longer applies.	The information in § 63.10(d)(5)(ii)	By fax or telephone within 2 working days after starting actions inconsistent with the plan followed by a letter within 7 working days after the end of the event unless you have made alternative arrangements with the permitting authority.
7. Performance test report	The information in § 63.7	Within 60 days after completion of the performance test according to the requirements in § 63.8693(f).

■ 24. Table 7 to subpart LLLLL of part 63 is amended by:

■ a. Removing the entry for § 63.6(e)(1) and adding entries in numerical order for §§ 63.6(e)(1)(i), 63.6(e)(1)(ii), and 63.6(e)(1)(iii);

■ b. Revising the entries for §§ 63.6(e)(3), 63.6(f)(1), 63.6(h)(1), and 63.7(e)(1);

■ c. Adding an entry in numerical order for § 63.7(e)(4);

■ d. Removing the entry for § 63.8(c)(1);

■ e. Revising the entries for §§ 63.8(c)(1)(i), 63.8(c)(1)(ii), 63.8(c)(1)(iii), and 63.8(d);

■ f. Removing the entry for § 63.10(b)(2)(i)-(v);

■ g. Adding entries in numerical order for §§ 63.10(b)(2)(i), 63.10(b)(2)(ii), 63.10(b)(2)(iii), 63.10(b)(2)(iv), and 63.10(b)(2)(v); and

■ h. Revising the entry for § 63.10(d)(5).

The revisions and additions read as follows:

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

Citation	Subject	Brief description	Applies to subpart LLLLL
* * * * *			
§ 63.6(e)(1)(i)	Operation & Maintenance	Operate to minimize emissions at all times.	Yes before September 9, 2020. No on and after September 9, 2020. See § 63.8685(b) for general duty requirement.
§ 63.6(e)(1)(ii)	Operation & Maintenance	Correct malfunctions as soon as practicable.	Yes before September 9, 2020. No on and after September 9, 2020.
§ 63.6(e)(1)(iii)	Operation & Maintenance	Operation and maintenance requirements independently enforceable; information Administrator will use to determine if operation and maintenance requirements were met.	Yes.

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

Citation	Subject	Brief description	Applies to subpart LLLLL
* * *	* * *	* * *	* * *
§ 63.6(e)(3)	Startup, Shutdown, and Malfunction (SSM) Plan (SSMP).	1. Requirement for SSM and startup, shutdown, malfunction plan. 2. Content of SSMP.	Yes before September 9, 2020. No on and after September 9, 2020.
§ 63.6(f)(1)	Compliance Except During SSM ..	You must comply with emission standards at all times except during SSM.	Yes before September 9, 2020. No on and after September 9, 2020.
* * *	* * *	* * *	* * *
§ 63.6(h)(1)	Compliance with Opacity/VE Standards.	You must comply with opacity/VE emission limitations at all times except during SSM.	Yes before September 9, 2020. No on and after September 9, 2020.
* * *	* * *	* * *	* * *
§ 63.7(e)(1)	Conditions for Conducting Performance Tests.	1. Performance tests must be conducted under representative conditions. Cannot conduct performance tests during SSM. 2. Not a violation to exceed standard during SSM.	Yes before September 9, 2020. No on and after September 9, 2020. See § 63.8687.
* * *	* * *	* * *	* * *
§ 63.7(e)(4)	Conduct of performance tests	Administrator's authority to require testing under section 114 of the Act.	Yes.
* * *	* * *	* * *	* * *
§ 63.8(c)(1)(i)	Routine and predictable CMS malfunction.	1. Keep parts for routine repairs readily available. 2. Reporting requirements for CMS malfunction when action is described in SSM plan.	Yes before September 9, 2020. No on and after September 9, 2020.
§ 63.8(c)(1)(ii)	CMS malfunction not in SSP plan	Keep the necessary parts for routine repairs if CMS.	Yes.
§ 63.8(c)(1)(iii)	Compliance with Operation and Maintenance Requirements.	Develop a written startup, shutdown, and malfunction plan for CMS.	Yes before September 9, 2020. No on and after September 9, 2020.
* * *	* * *	* * *	* * *
§ 63.8(d)	CMS Quality Control	1. Requirements for CMS quality control, including calibration, etc. 2. Must keep quality control plan on record for the life of the affected source. 3. Keep old versions for 5 years after revisions.	Yes.
* * *	* * *	* * *	* * *
§ 63.10(b)(2)(i)	Records related to Startup and Shutdown.	Occurrence of each of operation (process equipment).	Yes before September 9, 2020. No on and after September 9, 2020.
§ 63.10(b)(2)(ii)	Recordkeeping Relevant to Malfunction Periods and CMS.	Occurrence of each malfunction of air pollution equipment.	Yes before September 9, 2020. No on and after September 9, 2020.
§ 63.10(b)(2)(iii)	Recordkeeping Relevant to Maintenance of Air Pollution Control and Monitoring Equipment.	Maintenance on air pollution control equipment.	Yes.
§ 63.10(b)(2)(iv)	Recordkeeping Relevant to Startup, Shutdown, and Malfunction Periods and CMS.	Actions during startup, shutdown, and malfunction.	Yes before September 9, 2020. No on and after September 9, 2020.
§ 63.10(b)(2)(v)	Recordkeeping Relevant to Startup, Shutdown, and Malfunction Periods and CMS.	Actions during startup, shutdown, and malfunction.	Yes before September 9, 2020. No on and after September 9, 2020.
* * *	* * *	* * *	* * *
§ 63.10(d)(5)	Startup, Shutdown, and Malfunction Reports.	Contents and submission	Yes before September 9, 2020. No on and after September 9, 2020.
* * *	* * *	* * *	* * *

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