

MEMORANDUM

DATE: December 17, 2020

SUBJECT: Proposed Regulation Edits for 40 CFR Part 63,
Subpart TTTTT

FROM: Michael Moeller, Environmental Protection Agency

TO: Docket No. EPA-HQ-OAR-2020-0535

This memorandum provides the proposed regulation edits associated with a proposed action titled, “*National Emission Standards for Hazardous Air Pollutants: Primary Magnesium Refining Residual Risk and Technology Review.*”

Attachment 1 to this memorandum presents the specific amendatory language proposed to revise the above-referenced subparts of the Code of Federal Regulations (CFR). Attachment 2 to this memorandum, for the convenience of interested parties, presents the subject subparts of the CFR (as of December 17, 2020) including proposed regulation edits shown in redline/strikeout format.

Attachment 1: Proposed amendatory language.

Attachment 2: Regulatory text with proposed edits in redline/strikeout.

**Attachment 1:
Proposed amendatory language.**

For the reasons set out in the preamble, 40 CFR part 63 is amended as follows:

**PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR
POLLUTANTS**

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

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

**Subpart TTTTT—National Emission Standards for Hazardous Air Pollutants for Primary
Magnesium Refining**

2. Section 63.9882 is amended by revising paragraph (b) to read as follows:

§63.9882 What parts of my plant does this subpart cover?

* * * * *

(b) This subpart covers emissions from each spray dryer stack, magnesium chloride storage bins scrubber stack, melt/reactor system stack which includes the chlorine reduction burner (CRB), chlorine plant bypass (CBS) stack, and launder off-gas system stack at your primary magnesium refining facility. This subpart also covers fugitive dust emissions.

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3. Section 63.9883 is amended by:

- a. Revising paragraphs (a) through (c);
- b. Revising paragraphs (d)(1) and (d)(2); and
- c. Adding paragraph (f).

The revisions and addition read as follows:

§63.9883 When do I have to comply with this subpart?

(a) If you have an existing source, you must comply with each emission limitation, work practice standard, and operation and maintenance requirement in this subpart that applies to you no later than October 11, 2004, except as provided in paragraph (f) of this section.

(b) If you have a new affected source and its initial startup date is on or before October 11, 2003, you must comply with each emission limitation, work practice standard, and operation and maintenance requirement in this subpart that applies to you by October 10, 2003, except as provided in paragraph (f) of this section.

(c) If you have a new affected source and its initial startup date is after October 10, 2003, you must comply with each emission limitation, work practice standard, and operation and maintenance requirement in this subpart that applies to you upon initial startup, except as provided in paragraph (f) of this section.

(d) * * *

(1) Any portion of the existing primary magnesium refinery that is a new affected source or a new reconstructed source must be in compliance with this subpart upon startup, except as provided in paragraph (f) of this section.

(2) All other parts of the primary magnesium refinery must be in compliance with this subpart no later than 2 years after it becomes a major source, except as provided in paragraph (f) of this section.

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(f) If the affected source's initial startup date is on or before **[INSERT DATE OF PUBLICATION OF PROPOSAL IN THE FEDERAL REGISTER]**, you must comply with the requirements specified in paragraphs (f)(1) through (5) of this section by the compliance dates specified in those paragraphs. If the affected source's initial startup date is after **[INSERT**

DATE OF PUBLICATION OF PROPOSAL IN THE FEDERAL REGISTER], you must comply with all of the applicable requirements of this subpart upon initial startup or **[DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER]**, whichever is later.

(1) You must comply with the emission limitation requirements of §63.9890(a) regarding the CBS control device, on or before **[DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER]**.

2) You must comply with the operating parameter requirements of §63.9890(b) regarding the measurement of pH on or before **[DATE 180 DAYS AFTER PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER]**.

(3) You must comply with the operation and maintenance requirements of §63.9900(d) on or before **[DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER]**.

(4) You must comply with the work practice standard requirements of §63.9892 on or before **[DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER]**.

(5) You must comply with the recordkeeping and reporting requirements of §63.9931(b)(4) and (b)(9) on or before **[DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER]**.

4. Section 63.9890 is amended by revising the section heading, revising paragraph (b) and adding paragraph (c) to read as follows:

§63.9890 What emission limitations and operating parameters must I meet?

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(b) For each wet scrubber or other control devices applied to meet any particulate matter, particulate matter less than 10 microns (PM₁₀), chlorine, hydrochloric acid, or dioxins/furans

emission limit in Table 1 to this subpart, you must maintain the hourly average pressure drop, scrubber liquid flow rate, and pH at or above the minimum level or other appropriate approved operating parameters within limits or range established during the initial or subsequent performance test.

(c) For each control device applied to the meet the chlorine emission removal efficiency limit in Table 1 to this subpart, you must maintain the hourly pressure drop, scrubber liquid flow rate, and pH level or other appropriate approved operating parameters at or above the minimum level established during the initial or subsequent performance test demonstrating 95 percent removal efficiency or better.

5. Add section 63.9892 to read as follows:

§63.9892 What work practice standards must I meet for my chlorine reduction burner?

(a) For each CRB malfunction event you must meet the work practice standards specified in paragraphs (b) and (c) of this section.

(b) During unplanned and unavoidable CRB maintenance events due to malfunction, you must shutdown the melt/reactor as soon as practicable but not later than 15 minutes after such event occurs and keep the melt/reactor offline during the CRB repair process.

(c) If any HAP are released directly to the atmosphere during a CRB malfunction event, follow the requirements of paragraphs (c)(1) through (5) of this section.

(1) Calculate the quantity of HAP released during each malfunction event. Calculations may be based on monitoring data alone or in combination with process parameter monitoring data and process knowledge.

(2) Determine whether the HAP released are in excess of the standard in §63.9890 that applies during periods of normal operation.

(3) Complete a root cause analysis to determine the source, nature and cause of each malfunction event as soon as practicable, but no later than 45 days after a malfunction event.

(4) Identify corrective measures to prevent future such malfunction events as soon as practicable, but no later than 45 days after a malfunction event.

(5) Implement the corrective measure(s) identified as required by paragraph (c)(4) of this section within 45 days of the malfunction event or as soon thereafter as practicable. For corrective measures that cannot be fully implemented within 45 days following a malfunction event, you must record the corrective measure(s) completed to date, and, for corrective action measure(s) that cannot be completed within 45 days, include a rationale and a schedule for implementation of the measures, including proposed commencement and completion dates, no later than 45 days following the malfunction event.

(d) It is a violation of the requirements of paragraphs (c) of this section for any CRB to release HAP as a result of a second malfunction event in a 12-month period for the same root cause.

6. Section 63.9900 is amended by revising paragraph (a) and adding paragraph (d) to read as follows:

§63.9900 What are my operation and maintenance requirements?

(a) You must always operate and maintain your affected source, including air pollution control and monitoring equipment, according to the requirements in §63.9910(b).

* * * * *

(d) For the control device that is required to demonstrate 95 percent or greater control efficiency of chlorine emissions as specified in §63.9890 and Table 1 of this subpart, the operating conditions specified in (d)(1) of this section must also be met:

(1) The facility must operate the control device (e.g., CBS scrubber) at all times when chlorine emissions are being routed to the CBS; except for circumstances under which emissions are routed to the CBS due to a chlorine plant malfunction and the CBS control device is not in operation, the CBS control device must be operating as soon as possible, but no later than 15 minutes after the routing of the chlorine emissions to the CBS.

7. Section 63.9910 is amended by revising paragraphs (a) and (b) to read as follows:

§63.9910 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the applicable emissions limitations, work practice standards and operation and maintenance requirements in this subpart at all times.

(b) 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 at all times. 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 which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

8. Section 63.9913 is amended by revising paragraph (a) and (b)(1)(iii) to read as follows:

§63.9913 What test methods and other procedures must I use to demonstrate initial compliance with the emission limits for particulate matter and PM₁₀?

(a) You must conduct each performance test under conditions representative of normal operations. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(b) * * *

(1) * * *

(iii) Method 3, 3A, or 3B to determine the dry molecular weight of the stack gas. As an alternative to EPA Reference Method 3B you may use the manual portion only and not the instrumental portion of ASME PTC-19-10-1981-Part 10. "Flue and Exhaust Gas Analyses."

* * * * *

9. Section 63.9914 is amended by revising paragraphs (a), (b)(1)(iii) and (b)(1)(v) and adding paragraph (d) to read as follows:

§63.9914 What test methods and other procedures must I use to demonstrate initial compliance with chlorine and hydrochloric acid emission limits?

(a) You must conduct each performance test under conditions representative of normal operations. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(b) * * *

(1) * * *

(iii) Method 3, 3A, or 3B to determine the dry molecular weight of the stack gas. As an alternative to EPA Reference Method 3B you may use the manual portion only and not the instrumental portion of ASME PTC-19-10-1981-Part 10. "Flue and Exhaust Gas Analyses."

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(v) Method 26 or 26A, as applicable, to determine the concentration of hydrochloric acid and chlorine. As an alternative to EPA Reference Method 26/26A you may use ASTM D6735-01(2009) "Standard Test Method for Measurement of Gaseous Chlorides and Fluorides from Mineral Calcining Exhaust Sources Impinger Method," if no modifications are needed.

* * * * *

(d) To determine compliance with the control device percent removal efficiency emission limit for chlorine in Table 1 to this subpart, you must determine the percent removal efficiency in accordance with paragraphs (d)(1) through (3) of this section.

(1) Due to the expected high concentration of chlorine in the inlet and outlet of the CBS and the range of potential chlorine concentrations, there are several options for measuring the concentrations including modifications to Method 26 and 26A.

(i) Process Gas - inlet testing:

(A) Modifications to Method 26

(1) Modify Part 60, App. A-8, Method 26 section 7.1.5 Alkaline Absorbing Solution from 0.1 N sodium hydroxide (NaOH) to 6.0 N NaOH. The 6.0 N NaOH absorbing solution is prepared by dissolving 1920 grams of NaOH in deionized, distilled water as defined in Method 26 Section 7.1.2, and diluting to 8 L with water. This solution should be stored in high density

polyethylene containers and used within ten days of preparation. Alternatively, commercially-prepared NaOH solution may be used.

(2) Modify Part 60, App. A-8, Method 26. section 6.1.3 Impingers to Method 26A, section 6.1.6 Impinger train. Use large impingers.

(3) Modify Part 60, App. A-8, Method 26 section 6.1.3 to the first two impingers with 100 mL of 0.1 N sulfuric acid (H₂SO₄) shall be Greenburg-Smith design with a standard tip and three impingers with 100 mL of 6.0 N NaOH solution per impinger shall be Greenburg-Smith design with a modified tip. Additional impingers containing 100 mL of 6.0 N NaOH solution may be added if necessary, to prevent the breakthrough of chlorine.

(4) Modify Part 60, App. A-8, Method 26 section 8.1.5 to adjust sample rate to 0.2 L/min, as indicated by the rate meter and maintain this rate to within 10 percent during the entire sample run.

(5) Modify Part 60, App. A-8, Method 26 section 8.2.2 recover the impingers as described in 8.2.2 with the following modifications. If CO₂ is present, the first NaOH impinger may turn to gel. If this happens, collect the gel in a container and rinse impinger with 0.1 N NaOH, record volume and send for analysis.

Note: Do not add the sodium thiosulfate to the recovered container unless the expected concentration of chlorine is known. If you know the expected chlorine concentration, when adding sodium thiosulfate to the sampling train impingers, use the following equation:

$$\text{Thiosulfate} = \text{Gas Volume} \times 2 \times \text{known Cl}_2 \times 0.007 \text{ (Eq. 2)}$$

Where

Thiosulfate is the volume in mL of 0.1 M Sodium Thiosulfate

Gas Volume is the dry standard cubic feet of gas to be collected.

Known Cl₂ is the expected chlorine concentration in the flue gas in ppmv

If the chlorine concentration is unknown, let the laboratory know that the chlorine concentration may be high (percent level) and sodium thiosulfate needs to be added once a ppm range is determined through screening.

(6) Modify Part 60, App. A-8, Method 26 section 8.2.2 to after recovering samples and recording the total volume, collect an aliquot of impinger solution into 40 ml VOA vial with no headspace and label the sample container. If the chlorine concentration is unknown, let the laboratory know that the chlorine concentration may be high (percent level) and sodium thiosulfate needs to be added once a ppm range is determined through screening.

(7) Correction for CO₂ and chlorine absorption in the NaOH solution. The NaOH solution used to absorb the chlorine will also absorb some of the CO₂ from the flue gas. Before starting the test, measure the percent CO₂ in the stack. If the percent CO₂ is ≥ 5%, the CO₂ concentration in the stack and at the outlet of the dry gas meter must be measured continuously throughout the test. The amount of CO₂ removed from the stack gas needs to be added back into the sample volume measured by the dry gas flow meter. Otherwise, the chlorine concentration determined will be higher than the true chlorine emissions. Use the following equation:

$$V_{\text{mcorr}} = \frac{\left(V_{\text{mstd}} \left(\frac{1 - \text{CO}_{2(\text{out})}}{1 - \text{CO}_{2(\text{in})}} \right) \right)}{(1 - \text{Cl}_{2(\text{in})})} \quad (\text{Eq. 3})$$

Whereas:

V_{mcorr} - Corrected sample volume at standard conditions

V_{mstd} - Sample volume at standard conditions

CO_{2(in)} – Percent carbon dioxide as measured in the stack/duct

CO_{2(out)} – Percent carbon dioxide as measured at the outlet of the sample train

C1_{2(in)} – Percent chlorine as measured in the sampling train

(B) Alternatively, use the Method 26 modifications (i)(A)(1) through (4), (6) and (7) and use a dilution sampling system with a dilution ratio of at least 30:1 using nitrogen as the diluent through the sampling train. Efforts should be made to minimize the length of sampling line and you must document the dilution ratio used and how the ratio was determined.

(C) Alternatively, collect a known volume of process gas into an evacuated teflon-lined cylinder or canister over a documented amount of time at the inlet. Once collected, use a gas tight syringe to pull an aliquot of a known volume of process gas and inject the gas into a solution of 6.0 N NaOH. The vial is shaken and analyzed for chloride according to Method 26.

(D) An alternative test method may be requested to EPA OAR, OAQPS, Measurement Technology Group according to §63.7(f).

(ii) Outlet testing: Since chlorine concentration is unknown and may be up to 5% chlorine the following modifications may be needed.

(A) Method 26A modifications

(1) Modify Part 60, App. A-8, Method 26A section 6.1.6 to the first two impingers with 100 mL of 0.1 N H₂SO₄ and three impingers with 100 mL of 6.0 N NaOH solution per impinger. Additional impingers containing 100 mL of 6.0 N NaOH solution may be added if necessary to prevent breakthrough of chlorine.

(2) Modify Part 60, App. A-8, Method 26A section 8.2.4 Recover the sample as described in 8.2.4 with the following modifications. If CO₂ is present, the first NaOH impinger may turn to gel. If this happens, collect the gel in a container and rinse impinger with 0.1 N NaOH, record the volume and send for analysis.

Note: Do not add the sodium thiosulfate to the recovered container unless the expected concentration of chlorine is known. If you know the expected chlorine concentration, when adding sodium thiosulfate to the sampling train impingers, use equation 2.

If the chlorine concentration is unknown, let the laboratory know that the chlorine concentration may be high (percent level) and sodium thiosulfate needs to be added once a ppm range is determined through screening.

(3) Modify Part 60, App. A-8, Method 26A section 8.2.4 to add after recovering sample and recording the volume, collect an aliquot of impinger solution into 40 ml VOA vial with no headspace and label the sample container. If the chlorine concentration is unknown, let the laboratory know that the chlorine concentration may be high (percent level) and sodium thiosulfate needs to be added once a ppm range is determined through screening.

(4) Correction for CO₂ and chlorine absorption in the NaOH solution. The NaOH solution used to absorb the chlorine will also absorb some of the CO₂ from the flue gas. Before starting the test, measure the percent CO₂ in the stack. If the percent CO₂ is $\geq 5\%$, the CO₂ concentration in the stack and at the outlet of the dry gas meter must be measured continuously throughout the test. The amount of CO₂ removed from the stack gas needs to be added back into the sample volume measured by the dry gas flow meter. Otherwise, the chlorine concentration determined will be higher than the true chlorine emissions. The isokinetic sample rate must be adjusted for CO₂ and chlorine absorption if the CO₂% in the stack gas is $\geq 5\%$. Use equation 3 for this correction.

(B) Alternatively, use the Method 26A modifications (ii)(A)(1) through (4), and use a dilution sampling system with a dilution ratio of at least 30:1 using nitrogen as the diluent

through the sampling train. Efforts should be made to minimize the length of sampling line and you must document the dilution ratio used and how the ratio was determined.

(C) An alternative test method may be requested to EPA OAR, OAQPS, Measurement Technology Group, according to §63.7(f).

(2) Calculate the mass emissions rate (lbs/hr) of chlorine at the inlet and outlet of the control device according to paragraph (c) of this section.

(3) Calculate the percent removal efficiency of chlorine using Equation 4 of this section:

$$R = \frac{E_i - E_o}{E_i} (100) \quad (Eq. 4)$$

Where:

R = Control efficiency of control device(s).

E_i = Mass rate of chlorine to the inlet to the control device(s), lbs/hr.

E_o = Mass rate of chlorine at the outlet of the control device(s), lbs/hr.

10. Section 63.9915 is amended by revising paragraph (a) to read as follows:

§63.9915 What test methods and other procedures must I use to demonstrate initial compliance with dioxin/furan emission limits?

(a) You must conduct each performance test under conditions representative of normal operations. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

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11. Section 63.9916 is amended by revising the introductory text to paragraph and paragraph (a) and adding paragraphs (c) and (d) to read as follows:

§63.9916 What test methods and other procedures must I use to establish and demonstrate initial compliance with the operating limits?

For a wet scrubber or other control devices subject to operating limits for pressure drop, scrubber water flow rate, and pH or other appropriate approved operating parameters in §63.9890(b) and (c), you must establish site-specific operating limits according to the procedures in paragraphs (a) through (d) of this section.

(a) Using the continuous parameter monitoring system (CPMS) required in §63.9920, measure and record the pressure drop, scrubber water flow rate and pH or other appropriate approved operating parameter at least every 15 minutes during each run of the performance tests.

* * * * *

(c) Compute the maximum and minimum pH for each individual test run. Your pH operating limits are the range between the lowest and highest pH readings recorded in any of the three runs that meet the applicable emission limit.

(d) If you are using an other appropriate operating parameter to demonstrate ongoing compliance, the process for the determination of the operating parameter limits needs to be approved by the Administrator.

12. Section 63.9917 is amended by revising paragraph (a)(2) to read as follows:

§63.9917 How do I demonstrate initial compliance with the emission limitations and work practice standards that apply to me?

(a) * * *

(2) For each wet scrubber or other control devices subject to the operating limits for pressure drop, scrubber water flow rate and pH in §63.9890(b) or (c), you have established appropriate site-specific operating limits and have a record of the pressure drop, scrubber water flow rate and pH or other appropriate approved operating parameters within limits or range measured during the performance test in accordance with §63.9916.

* * * * *

13. Section 63.9920 is amended by revising to read as follows:

§63.9920 What are my continuous monitoring requirements?

For each wet scrubber or other control devices subject to the operating limits for pressure drop, scrubber water flow rates and pH in §63.9890(b) and (c), you must at all times monitor the hourly average pressure drop, liquid flow rate and pH or other appropriate approved operating parameters using a CPMS according to the requirements in §63.9921(a).

14. Section 63.9921 is amended by revising the introductory text of paragraphs (a), (a)(1), (a)(2) and (b), and adding paragraphs (a)(3) and (b)(4) to read as follows:

§63.9921 What are the installation, operation and maintenance requirements for my monitors?

(a) For each wet scrubber or other control devices subject to the operating limits in §63.9890 (b) and (c) for pressure drop, scrubber water flow rate and pH or other appropriate approved operating parameters, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (a)(1) through (3) of this section.

(1) For the pressure drop CPMS, you must meet the requirements in paragraphs (a)(1)(i) through (vi):

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(2) For the scrubber water flow rate CPMS, you must meet the requirements in paragraphs (a)(2)(i) through (iv):

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(3) For the pH CPMS, you must meet the requirements in paragraphs (a)(3)(i) through (v):

(i) Use a pH CPMS with a minimum accuracy of ± 0.2 pH units

(ii) Use a data recording system with a minimum resolution of 0.1 pH units, or better.

(iii) Perform an initial validation of your pH CPMS according to the requirements in (a)(3)(iii)(A) or (B) of this section.

(A) Perform two-point calibration using NIST-certified buffer solutions that are accurate to within ± 0.02 pH units at 25 °C (77 °F). If the expected pH of the liquid that is monitored lies in the acidic range (equal to or less than 7 pH), use the buffer solutions with a pH value of 4.00 and 7.00. If the expected pH of the liquid that is monitored is neutral or lies in the basic range (equal to or greater than 7 pH), use buffer solutions with a pH value of 7.00 and 10.00. Place the electrode of your pH CPMS in the container of the buffer solution. Record the pH measured by your CPMS. Using the certified buffer solution as the reference, the pH measured by your CPMS must be within the accuracy specified in paragraph (a)(3)(i) of this section.

(B) Perform any of the initial validation methods for pH CPMS specified in performance specifications for CPMS established in 40 CFR part 60, appendix B, when promulgated.

(iv) Perform an accuracy audit of your pH CPMS at least weekly, according to the requirements in paragraph (a)(3)(iv)(A), (B), or (C) of this section.

(A) If your pH CPMS includes a redundant pH sensor, record the pH measured by each of the two pH sensors. The measurement must be taken during periods when the process and

control device that is monitored by your pH CPMS are operating normally. The two pH values must agree with the required overall accuracy of the CPMS established in paragraph (a)(3) of this section.

(B) If your pH CPMS does not include a redundant pH sensor, perform a two-point calibration using NIST-certified buffer solutions that are accurate to within + 0.02 pH units at 25 °C (77 °F). If the expected pH of the liquid that is monitored lies in the acidic range (equal to or less than 7 pH), use the buffer solutions with a pH value of 4.00 and 7.00. If the expected pH of the liquid that is monitored is neutral or lies in the basic range (equal to or greater than 7 pH), use buffer solutions with a pH value of 7.00 and 10.00. Place the electrode of your pH CPMS in the container of the buffer solution. Record the pH measured by your CPMS. Using the certified buffer solution as the reference, the pH measured by your CPMS must be within the accuracy specified in paragraph (a)(3)(i) of this section.

(C) Perform any of the accuracy audit methods for pH CPMS specified in QA procedures for CPMS established in 40 CFR 60, appendix F.

(v) If your CPMS is not equipped with a redundant pH sensor, perform at least monthly a visual inspection of all components of the CPMS for integrity, oxidation and galvanic corrosion.

(b) You must install, operate, and maintain each CPMS for a wet scrubber or other control device according to the requirements in paragraphs (b)(1) through (4) of this section.

* * * * *

(4) You must meet the ongoing data quality assurance procedures in accordance with the general requirements of §63.8(d)(1) and (2). The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the

Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (*i.e.*, superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. The program of corrective action should be included in the plan required under §63.8(d)(2).

15. Section 63.9923 is amended by revising the introductory text of paragraph (b) and paragraph (b)(2) to read as follows:

§63.9923 How do I demonstrate continuous compliance with the emission limitations and work practice standards that apply to me?

* * * * *

(b) For each wet scrubber or other control device subject to the operating limits for pressure drop, scrubber water flow rate and pH in §63.9890(b) and (c), you must demonstrate continuous compliance according to the requirements in paragraphs (b)(1) and (2) of this section.

* * * * *

(2) Maintaining the hourly average pressure drop, scrubber water flow rate pH or other appropriate operating parameter within the limits or ranges established during the initial or subsequent performance according to §63.9916.

* * * * *

16. Section 63.9925 is amended by revising the introductory text of paragraph (a) and removing and reserving paragraph (b) to read as follows:

§63.9925 What other requirements must I meet to demonstrate continuous compliance?

(a) *Deviations.* You must report each instance in which you did not meet each emission limitation in §63.9890 or work practice standard in §63.9891 and §63.9892 that applies to you.

You must also report each instance in which you did not meet each operation and maintenance requirement required in §63.9900 that applies to you. These instances are deviations from the emission limitations, work practice standards, and operation and maintenance requirements in this subpart. These deviations must be reported according to the requirements in §63.9931.

(b) [Reserved]

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17. Section 63.9930 is amended by revising paragraphs (b) and (c) to read as follows:

§63.9930 What notifications must I submit and when?

* * * * *

(b) As specified in §63.9(b)(2), if you startup your affected source before October 10, 2003, you must submit your initial notification no later than 120 calendar days after October 10, 2003, or no later than 120 days after the source becomes subject to this subpart.

(c) As specified in §63.9(b)(3), if you start your new affected source on or after October 10, 2003, you must submit your initial notification no later than 120 calendar days after you become subject to this subpart.

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18. Section 63.9931 is amended by:

- a. Revising the introductory text of paragraphs (b), (b)(7) and (b)(8);
- b. Revising paragraph (b)(8)(iv);
- c. Removing and reserving paragraphs (b)(4) and (c); and
- d. Adding paragraphs (e) through (g).

The revisions, removals, and additions read as follows:

§63.9931 What reports must I submit and when?

* * * * *

(b) *Compliance report contents.* Each compliance report must include the information in paragraphs (b)(1) through (3) of this section and, as applicable, paragraphs (b)(5) through (8) of this section.

* * * * *

(4) [Reserved]

* * * * *

(7) For each deviation from an emission limitation in §63.9890 that occurs at an affected source where you are not using a CPMS to comply with an emission limitation in this subpart, the compliance report must contain the information in paragraphs (b)(1) through (4) of this section and the information in paragraphs (b)(7)(i) and (ii) of this section.

* * * * *

(8) For each deviation from an emission limitation occurring at an affected source where you are using a CPMS to comply with the emission limitation in this subpart, you must include the information in paragraphs (b)(1) through (4) of this section and the information in paragraphs (b)(8)(i) through (xi) of this section.

* * * * *

(iv) The date and time that each deviation started and stopped.

* * * * *

(c) [Reserved]

* * * * *

(e) *Performance Test and CMS Performance Evaluation Reports.* Within 60 days after the date of completing each performance test or continuous monitoring system (CMS)

performance evaluation (as defined in §63.2) required by this subpart, the owner or operator must submit the results of the performance test or performance evaluation according to the manner specified in paragraphs (e)(1) through (3) of this section.

(1) *Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the 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 or the performance evaluation of CEMS measuring relative accuracy test audit (RATA) pollutants supported by the ERT to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The data must be submitted in a file format generated through the use of the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website.

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

(3) *Confidential business information (CBI).* Do not use CEDRI to submit information you claim as CBI. Anything submitted using CEDRI cannot later be claimed CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information submitted under paragraph (e)(1) or (2) of this section, you must submit a complete file, including information claimed to be CBI, to the EPA. The file must be generated through

the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the 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 the EPA via the EPA's CDX as described in paragraph (e) of this section. All CBI claims must be asserted at the time of submission. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available.

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

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

19. Section 63.9932 is amended by removing and reserving paragraph (a)(2) and adding paragraph (c) to read as follows:

§63.9932 What records must I keep?

* * * * *

(c) After [DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER], you must keep records of each deviation as specified in paragraphs (c)(1) through (3) of this section.

(1) For each deviation record the date, time, and duration of each deviation.

(2) For each deviation, record and retain a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions.

(3) Record actions taken to minimize emissions in accordance with §63.9910(b), and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

20. Section 63.9941 is amended by revising the introductory text of paragraph (c) and adding paragraph (c)(5) to read as follows:

§63.9941 Who implements and enforces this subpart?

* * * * *

(c) The authorities that will not be delegated to State, local, or tribal agencies are specified in paragraphs (c)(1) through (5) of this section.

* * * * *

(5) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

21. Section 63.9942 is amended by revising the definitions for “Chlorine plant bypass stack” and “Deviation”, adding the definition for “Chlorine reduction burner” in alphabetical order and removing the definition for “Force majeure” to read as follows:

§63.9942 What definitions apply to this subpart?

* * * * *

Chlorine plant bypass stack (CBS) means the stack that receives chlorine gas from the chlorine plant.

Chlorine reduction burner (CRB) means a control device for the melt/reactor that reduces chlorine gas to hydrogen chloride gas using natural gas as a fuel.

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

* * * * *

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

* * * * *

22. Table 1 to Subpart TTTTT is amended by adding in numerical order an entry for 5 to read as follows:

Table 1 to Subpart TTTTT: Emission Limits

* * * * *

For . . .	You must comply with each of the following . . .
* * * * *	* * *
5. Each chlorine bypass stack	a. You must operate the control device and demonstrate ≥ 95 percent control efficiency for chlorine emissions.

23. Table 3 to Subpart TTTTT is amended by adding in numerical order an entry for 5 to read as follows:

Table 3 to Subpart TTTTT: Initial Compliance With Emission Limits

* * * * *

For . . .	You have demonstrated initial compliance if . . .
* * *	* * * *
5. Each chlorine bypass stack	a. The control device efficiency is ≥ 95 percent for chlorine emissions.

24. Table 4 to Subpart TTTTT is amended by adding in numerical order an entry for 5 to read as follows:

Table 4 to Subpart TTTTT: Continuous Compliance With Emission Limits

* * * * *

For . . .	You must demonstrate continuous compliance by . . .
* * * *	* * *
5. Each chlorine bypass stack	a. Operating and maintaining ≥ 95 percent control efficiency for chlorine emissions.
	b. Conducting subsequent performance tests at least twice during each term of your title V operating permit (at mid-term and renewal).

25. Table 5 to Subpart TTTTT is amended by:

a. Revising the rows for §§ 63.6(a)-(g), 63.7(a)(3), (b)-(h), 63.8 except for (a)(4),(c)(4) and (f)(6), 63.9, 63.10(c)(7)-(8);

b. Adding rows in numerical order for §§ 63.6(b)(1)-(4), 63.6(b)(5), 63.6(b)(6), 63.6(b)(7), 63.6(c)(1)-(2), 63.6(c)(3)-(4), 63.6(c)(5), 63.6(d), 63.6(e)(1)(i), 63.6(e)(1)(ii), 63.6(e)(3), 63.6(f)(1), 63.6(f)(2)-(3), 63.6(g), 63.7(e)(1), 63.8(c)(1)(i), 63.8(c)(1)(iii), 63.10(a), 63.10(b)(1), 63.10(b)(2)(i)-(ii), 63.10(b)(2)(iii), 63.10(b)(2)(iv), 63.10(b)(2)(v), 63.10(b)(2)(vi), 63.10(b)(2)(vii)-(xi), 63.10(b)(2)(xiv), 63.10(b)(3), 63.10(c), except for (c)(7)-(8) and (c)(15), 63.10(c)(15), 63.10(d), except for (d)(5), 63.10(d)(5), 63.10(e), and 63.10(f); and

c. Removing the entry for §63.10 except for (b)(2)(xiii), and (c)(7)-(8).

The revisions, additions, and removal read as follows:

Table 5 to Subpart TTTTT: Applicability of General Provisions to Subpart TTTTT of Part

63

* * * * *

Citation	Subject	Applies to Subpart TTTTT	Explanation
* * * * *	* * * * *	* * * * *	* * * * *
63.6(a)	Compliance with Standards and Maintenance Requirements-Applicability	Yes.	
63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes.	63.9883 specifies compliance dates
63.6(b)(5)	Notification if commenced construction or reconstruction after proposal	Yes.	
63.6(b)(6)	[Reserved]	Yes.	
63.6(b)(7)	Compliance dates for new or reconstructed area sources that become major	Yes.	§63.9883 specifies compliance dates.
63.6(c)(1)-(2)	Compliance dates for existing sources	Yes.	§63.9883 specifies compliance dates.
63.6(c)(3)-(4)	[Reserved]	Yes.	
63.6(c)(5)	Compliance dates for existing area sources that become major	Yes.	§63.9883 specifies compliance dates.
63.6(d)	[Reserved]	Yes.	
63.6(e)(1)(i)	General duty to minimize emissions	No.	Subpart TTTTT requires affected units to meet emissions standards at all times. See §63.9910(b) for general duty requirement.

Citation	Subject	Applies to Subpart TTTT	Explanation
63.6(e)(1)(ii)	Requirement to correct malfunctions as soon as practicable	No.	
63.6(e)(3)	SSM plans	No.	
63.6(f)(1)	Compliance except during SSM	No.	
63.6(f)(2)-(3)	Methods for determining compliance	Yes.	
63.6(g)	Use of an alternative non-opacity emission standard	Yes.	
* * * * *			
63.7(a)(3)-(4), (b)-(d), (e)(2)-(4), (f)-(h)	Performance Testing Requirements	Yes.	
63.7(e)(1)	Conditions for conducting performance tests	No.	See §63.9913(a) for performance testing requirements.
63.8 except for (a)(4), (c)(1)(i), (c)(1)(iii), (c)(4), and (f)(6)	Monitoring Requirements	Yes.	
* * * * *			
63.8(c)(1)(i)	General duty to minimize emissions and CMS operation	No.	
63.8(c)(1)(iii)	Requirement to develop SSM Plan for CMS	No.	
* * * * *			
63.9 except for (g)(5)	Notification Requirements	Yes.	
* * * * *			
63.10(a)	Recordkeeping/reporting applicability	Yes.	
63.10(b)(1)	General recordkeeping requirements	Yes.	

Citation	Subject	Applies to Subpart TTTT	Explanation
63.10(b)(2)(i)-(ii)	Records related to SSM periods	No.	
63.10(b)(2)(iii)	Maintenance Records	Yes.	
63.10(b)(2)(iv)	Actions taken to minimize emissions during SSM	No.	See §63.9932 for recordkeeping when there is a deviation from a standard.
63.10(b)(2)(v)	Actions taken to minimize emissions during SSM	No.	
63.10(b)(2)(vi)	Recordkeeping for CMS malfunctions	Yes.	
63.10(b)(2)(vii)-(xi)	Records for performance tests and CMS	Yes.	
* * * * *			
63.10(b)(2)(xiv)	All documentation supporting initial notification and notification of compliance status.	Yes.	
63.10(b)(3)	Recordkeeping requirements for applicability determinations.	Yes.	
63.10(c), except for (c)(7)-(8) and (c)(15)	Additional recordkeeping requirements for sources with CPMS.	Yes.	
63.10(c)(7)-(8)	Records of Excess Emissions and Parameter Monitoring Exceedances for CMS	No.	Subpart TTTT specifies recordkeeping requirements.
63.10(c)(15)	Use of SSM Plan	No.	
63.10(d), except for (d)(5)	General Reporting Requirements	Yes.	
63.10(d)(5)	SSM reports	No.	See §63.9931(b)(4) for malfunction reporting requirements.

Citation	Subject	Applies to Subpart TTTT	Explanation
63.10(e)	Additional reporting requirements for sources with CMS	Yes.	
63.10(f)	Waiver of recordkeeping or reporting requirements	Yes.	
* * * * *			

Attachment 2:

Regulatory text with proposed edits in redline/strikeout.

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR

POLLUTANTS

Subpart TTTTT—National Emission Standards for Hazardous Air Pollutants for Primary

Magnesium Refining

§63.9880 What is the purpose of this subpart?

§63.9881 Am I subject to this subpart?

§63.9882 What parts of my plant does this subpart cover?

§63.9883 When do I have to comply with this subpart?

§63.9890 What emission limitations [and operating parameters](#) must I meet?

§63.9891 What work practice standards must I meet for my fugitive dust sources?

§63.9892 What work practice standards must I meet for my chlorine reduction burner?

§63.9900 What are my operation and maintenance requirements?

§63.9910 What are my general requirements for complying with this subpart?

§63.9911 By what date must I conduct performance tests or other initial compliance demonstrations?

§63.9912 When must I conduct subsequent performance tests?

§63.9913 What test methods and other procedures must I use to demonstrate initial compliance with the emission limits for particulate matter and PM₁₀?

§63.9914 What test methods and other procedures must I use to demonstrate initial compliance with chlorine and hydrochloric acid emission limits?

§63.9915 What test methods and other procedures must I use to demonstrate initial compliance with dioxin/furan emission limits?

§63.9916 What test methods and other procedures must I use to establish and demonstrate initial compliance with the operating limits?

§63.9917 How do I demonstrate initial compliance with the emission limitations and work practice standards that apply to me?

§63.9918 How do I demonstrate initial compliance with the operation and maintenance requirements that apply to me?

§63.9920 What are my continuous monitoring requirements?

§63.9921 What are the installation, operation and maintenance requirements for my monitors?

§63.9922 How do I monitor and collect data to demonstrate continuous compliance?

§63.9923 How do I demonstrate continuous compliance with the emission limitations and work practice standards that apply to me?

§63.9924 How do I demonstrate continuous compliance with the operation and maintenance requirements that apply to me?

§63.9925 What other requirements must I meet to demonstrate continuous compliance?

§63.9930 What notifications must I submit and when?

§63.9931 What reports must I submit and when?

§63.9932 What records must I keep?

§63.9933 In what form and how long must I keep my records?

§63.9940 What parts of the General Provisions apply to me?

§63.9941 Who implements and enforces this subpart?

§63.9942 What definitions apply to this subpart?

Table 1 to Subpart TTTTT - Emission Limits

Table 2 to Subpart TTTTT - Toxic Equivalency Factors

Table 3 to Subpart TTTTT - Initial Compliance With Emission Limits

Table 4 to Subpart TTTTT - Continuous Compliance With Emission Limits

Table 5 to Subpart TTTTT - Applicability of General Provisions to Subpart TTTTT of Part 63

§63.9880 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for primary magnesium refineries. This subpart also establishes requirements to demonstrate initial and continuous compliance with all applicable emission limitations, work practice standards, and operation and maintenance requirements.

§63.9881 Am I subject to this subpart?

You are subject to this subpart if you own or operate a primary magnesium refinery that is (or is part of) a major source of hazardous air pollutant (HAP) emissions. Your primary magnesium refinery is a major source of HAP if it emits or has the potential to emit any single HAP at a rate of 10 tons or more per year or any combination of HAP at a rate of 25 tons or more per year.

§63.9882 What parts of my plant does this subpart cover?

(a) The affected sources are each new and existing primary magnesium refining facility.

(b) This subpart covers emissions from each spray dryer stack, magnesium chloride storage bins scrubber stack, melt/reactor system stack which includes the chlorine reduction burner (CRB), chlorine plant bypass (CBS) stack, and launder off-gas system stack at your primary magnesium refining facility. This subpart also covers fugitive dust emissions.

(c) Each primary magnesium refining facility is existing if you commenced construction or reconstruction of the affected source before January 22, 2003.

(d) Each primary magnesium refining facility is new if you commence construction or reconstruction of the affected source on or after January 22, 2003. An affected source is reconstructed if it meets the definition of reconstruction in §63.2.

§63.9883 When do I have to comply with this subpart?

(a) If you have an existing source, you must comply with each emission limitation, work practice standard, and operation and maintenance requirement in this subpart that applies to you no later than October 11, 2004, except as provided in paragraph (f) of this section.

(b) If you have a new affected source and its initial startup date is on or before October 11, 2003, you must comply with each emission limitation, work practice standard, and operation and maintenance requirement in this subpart that applies to you by October 10, 2003, except as provided in paragraph (f) of this section.

(c) If you have a new affected source and its initial startup date is after October 10, 2003, you must comply with each emission limitation, work practice standard, and operation and maintenance requirement in this subpart that applies to you upon initial startup, except as provided in paragraph (f) of this section.

(d) If your primary magnesium refinery is an area source that becomes a major source of HAP, the compliance dates in paragraphs (d)(1) and (2) of this section apply to you:

(1) Any portion of the existing primary magnesium refinery that is a new affected source or a new reconstructed source must be in compliance with this subpart upon startup, except as provided in paragraph (f) of this section.

(2) All other parts of the primary magnesium refinery must be in compliance with this subpart no later than 2 years after it becomes a major source, except as provided in paragraph (f) of this section.

(e) You must meet the notification and schedule requirements in §63.9930. Several of these notifications must be submitted before the compliance date for your affected source.

(f) If the affected source's initial startup date is on or before [INSERT DATE OF PUBLICATION OF PROPOSAL IN THE FEDERAL REGISTER], you must comply with the requirements specified in paragraphs (f)(1) through (5) of this section by the compliance dates specified in those paragraphs. If the affected source's initial startup date is after [INSERT DATE OF PUBLICATION OF PROPOSAL IN THE FEDERAL REGISTER], you must comply with all of the applicable requirements of this subpart upon initial startup or [DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER], whichever is later.

(1) You must comply with the emission limitation requirements of §63.9890(a) regarding the CBS control device, on or before [DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER].

2) You must comply with the operating parameter requirements of §63.9890(b) regarding the measurement of pH on or before [DATE 180 DAYS AFTER PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER].

(3) You must comply with the operation and maintenance requirements of §63.9900(d) on or before [DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER].

(4) You must comply with the work practice standard requirements of §63.9892 on or before [DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER].

(5) You must comply with the recordkeeping and reporting requirements of §63.9931(b)(4) and (b)(9) on or before [DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER].

§63.9890 What emission limitations and operating parameters must I meet?

(a) You must meet each emission limit in Table 1 to this subpart that applies to you.

(b) For each wet scrubber or other control devices applied to meet any particulate matter, particulate matter less than 10 microns (PM₁₀), chlorine, hydrochloric acid, or dioxins/furans emission limit in Table 1 to this subpart, you must maintain the hourly average pressure drop, ~~and~~ scrubber liquid flow rate, and pH at or above the minimum level or other appropriate approved operating parameters within limits or range established during the initial or subsequent performance test.

(c) For each control device applied to the meet the chlorine emission removal efficiency limit in Table 1 to this subpart, you must maintain the hourly pressure drop, scrubber liquid flow rate, and pH level -or other appropriate approved operating parameters at or above the minimum level established during the initial or subsequent performance test demonstrating 95 percent removal efficiency or better.

§63.9891 What work practice standards must I meet for my fugitive dust sources?

(a) You must prepare and at all times operate according to a fugitive dust emissions control plan that describes in detail the measures that will be put in place to control fugitive dust emissions from all unpaved roads and other unpaved operational areas.

(b) You must submit a copy of your fugitive dust emissions control plan for approval to the Administrator on or before the applicable compliance date for the affected source as specified in §63.9883. The requirement to operate according to the fugitive dust emissions control plan must be incorporated by reference in the source's operating permit issued by the permitting authority under 40 CFR part 70 or 40 CFR part 71.

(c) You can use an existing fugitive dust emissions control plan provided it meets the requirements in paragraphs (c)(1) through (3) of this section.

- (1) The plan satisfies the requirements of paragraph (a) of this section
- (2) The plan describes the current measures to control fugitive dust emission sources.
- (3) The plan has been approved as part of a State implementation plan or title V permit.
- (d) You must maintain a current copy of the fugitive dust emissions control plan on-site

and available for inspection upon request. You must keep the plan for the life of the affected source or until the affected source is no longer subject to the requirements of this subpart.

§63.9892 What work practice standards must I meet for my chlorine reduction burner?

(a) For each CRB malfunction event you must meet the work practice standards specified in paragraphs (b) and (c) of this section.

(b) During unplanned and unavoidable CRB maintenance events [due to malfunction](#), you must shutdown the melt/reactor [as soon as practicable but not later than](#) 15 minutes after such event occurs and keep the melt/reactor offline during the CRB repair process.

(c) If any HAP are released directly to the atmosphere during a CRB malfunction event, follow the requirements of paragraphs (c)(1) through (5) of this section.

(1) Calculate the quantity of HAP released during each malfunction event. Calculations may be based on monitoring data alone or in combination with process parameter monitoring data and process knowledge.

(2) Determine whether the HAP released are in excess of the standard in §63.9890 that applies during periods of normal operation.

(3) Complete a root cause analysis to determine the source, nature and cause of each malfunction event as soon as practicable, but no later than 45 days after a malfunction event.

(4) Identify corrective measures to prevent future such malfunction events as soon as practicable, but no later than 45 days after a [malfunction](#) event.

(5) Implement the corrective measure(s) identified as required by paragraph (c)(4) of this section within 45 days of the malfunction event or as soon thereafter as practicable. For corrective measures that cannot be fully implemented within 45 days following a malfunction event, you must record the corrective measure(s) completed to date, and, for corrective action measure(s) that cannot be completed within 45 days, include a rationale and a schedule for implementation of the measures, including proposed commencement and completion dates, no later than 45 days following the malfunction event.

(d) It is a violation of the requirements of paragraphs (c) of this section for any CRB to release HAP as a result of a second malfunction event in a 12-month period for the same root cause.

§63.9900 What are my operation and maintenance requirements?

~~(a) YAs required by §63.6(e)(1)(i), you must always operate and maintain your affected source, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by this subpart according to the requirements in §63.9910(b).~~

(b) You must prepare and operate at all times according to a written operation and maintenance plan for each control device subject to an operating limit in §63.9890(b). Each plan must address preventative maintenance for each control device, including a preventative maintenance schedule that is consistent with the manufacturer's instructions for routine and long-term maintenance.

(c) You must maintain a current copy of the operation and maintenance plan required in paragraph (b) of this section on-site and available for inspection upon request. You must keep the

plan for the life of the affected source or until the affected source is no longer subject to the requirements of this subpart.

(d) For the control device that is required to demonstrate 95 percent or greater control efficiency of chlorine emissions as specified in §63.9890 and Table 1 of this subpart, the operating conditions specified in (d)(1) of this section must also be met:

(1) The facility must operate the control device (e.g., CBS scrubber) at all times when chlorine emissions are being routed to the CBS; except for circumstances under which emissions are routed to the CBS due to a chlorine plant malfunction and the CBS control device is not in operation, the CBS control device must be operating as soon as possible, but no later than 15 minutes after the routing of the chlorine emissions to the CBS.

§63.9910 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the applicable emissions limitations, work practice standards and operation and maintenance requirements in this subpart at all times, ~~except during periods of startup, shutdown, and malfunction, as defined in §63.2.~~

(b) 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 at all times. 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 which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

~~(b) You must develop a written startup, shutdown, and malfunction plan according to the provisions in §63.6(e)(3).~~

§63.9911 By what date must I conduct performance tests or other initial compliance demonstrations?

(a) As required in §63.7(a)(2), you must conduct a performance test to demonstrate initial compliance with each emission limit in Table 1 to this subpart that applies to you as indicated in paragraphs (a)(1) through (3) of this section:

(1) Within 180 calendar days after the compliance date that is specified in §63.9883 for your existing affected source;

(2) By April 7, 2004 for a new source that has an initial startup date before October 10, 2003; or

(3) Within 180 days after initial startup for a new source that has an initial startup date after October 10, 2003.

(b) For each operation and maintenance requirement that applies to you where initial compliance is not demonstrated using a performance test, you must demonstrate initial compliance within 30 calendar days after the compliance date that is specified for your affected source in §63.9883.

(c) If you commenced construction or reconstruction between January 22, 2003 and October 10, 2003, you must demonstrate initial compliance with either the proposed emission limitation or the promulgated emission limitation no later than April 7, 2004 or no later than 180 calendar days after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(d) If you commenced construction or reconstruction between January 22, 2003 and October 10, 2003, and you chose to comply with the proposed emission limit when

demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limit by April 11, 2005, or after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

§63.9912 When must I conduct subsequent performance tests?

You must conduct subsequent performance tests to demonstrate continuous compliance with all applicable emission limits in Table 1 to this subpart no less frequently than twice (at mid-term and renewal) during each term of your title V operating permit.

§63.9913 What test methods and other procedures must I use to demonstrate initial compliance with the emission limits for particulate matter and PM₁₀?

(a) ~~You must conduct each performance test that applies to your affected source according to the requirements in §63.7(e)(1).~~

You must conduct each performance test under conditions representative of normal operations. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(b) To determine compliance with the applicable emission limits for particulate matter in Table 1 to this subpart, you must follow the test methods and procedures in paragraphs (b)(1) and (2) of this section.

(1) Determine the concentration of particulate matter according to the following test methods in appendix A to 40 CFR part 60:

(i) Method 1 to select sampling port locations and the number of traverse points.

Sampling ports must be located at the outlet of the control device and prior to any releases to the atmosphere.

(ii) Method 2, 2F, or 2G to determine the volumetric flow rate of the stack gas.

(iii) Method 3, 3A, or 3B to determine the dry molecular weight of the stack gas. As an alternative to EPA Reference Method 3B you may use the manual portion only and not the instrumental portion of ASME PTC-19-10-1981-Part 10. "Flue and Exhaust Gas Analyses."

(iv) Method 4 to determine the moisture content of the stack gas.

(v) Method 5 or 5D, as applicable, to determine the concentration of particulate matter.

(vi) Method 201 or 201A, as applicable, to determine the concentration of PM₁₀.

(2) Collect a minimum sample volume of 60 dry standard cubic feet (dscf) during each particulate matter or PM₁₀ test run. Three valid test runs are needed to comprise a performance test.

(c) Compute the mass emissions rate in pounds per hour (lbs/hr) for each test run using Equation 1 of this section:

$$E_{\text{lbs/hr}} = \frac{C_s \times Q_{\text{std}} \times 60}{7,000} \quad (\text{Eq. 1})$$

Where: $E_{\text{lbs/hr}}$ = Mass emissions rate of particulate matter or PM₁₀ (lbs/hr);

C_s = Concentration of particulate matter or PM₁₀ in the gas stream, grains per dry standard cubic feet (gr/dscf);

Q_{std} = Volumetric flow rate of stack gas, dry standard cubic feet per minute (dscfm);

60 = Conversion factor, minutes per hour (min/hr); and

7,000 = Conversion factor, grains per pound (gr/lb).

§63.9914 What test methods and other procedures must I use to demonstrate initial compliance with chlorine and hydrochloric acid emission limits?

(a) ~~You must conduct each performance test that applies to your affected source according to the requirements in §63.7(e)(1).~~ You must conduct each performance test under conditions representative of normal operations. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(b) To determine compliance with the applicable emission limits for chlorine and hydrochloric acid in Table 1 to this subpart, you must follow the test methods and procedures specified in paragraphs (b)(1) and (2) of this section.

(1) Determine the concentration of chlorine and hydrochloric acid according to the following test methods in appendix A to 40 CFR part 60:

(i) Method 1 to select sampling port locations and the number of traverse points.

Sampling ports must be located at the outlet of the control device and prior to any releases to the atmosphere.

(ii) Method 2, 2F, or 2G to determine the volumetric flow of the stack gas.

(iii) Method 3, 3A, or 3B to determine the dry molecular weight of the stack gas. As an alternative to EPA Reference Method 3B you may use the manual portion only and not the instrumental portion of ASME PTC-19-10-1981-Part 10. "Flue and Exhaust Gas Analyses."

(iv) Method 4 to determine the moisture content of the stack gas.

(v) Method 26 or 26A, as applicable, to determine the concentration of hydrochloric acid and chlorine. As an alternative to EPA Reference Method 26/26A you may use ASTM D6735-01(2009) “Standard Test Method for Measurement of Gaseous Chlorides and Fluorides from Mineral Calcining Exhaust Sources Impinger Method,” if no modifications are needed.

(2) Collect a minimum sample of 60 dscf during each test run for chlorine and hydrochloric acid. Three valid test runs are needed to comprise a performance test.

(c) Compute the mass emissions rate (lbs/hr) for each test run using Equation 1 of this section:

$$E_{lbs/hr} = \frac{C_s \times Q_{std} \times 60}{35.31 \times 454,000} \quad (Eq. 1)$$

Where: $E_{lbs/hr}$ = Mass emissions rate of chlorine or hydrochloric acid (lbs/hr);

C_s = Concentration of chlorine or hydrochloric acid in the gas stream, milligrams per dry standard cubic meter (mg/dscm);

Q_{std} = Volumetric flow rate of stack gas (dscfm);

60 = Conversion factor (min/hr);

35.31 = Conversion factor (dscf/dscm); and

454,000 = Conversion factor (mg/lb).

(d) To determine compliance with the control device percent removal efficiency emission limit for chlorine in Table 1 to this subpart, you must determine the percent removal efficiency in accordance with paragraphs (d)(1) through (3) of this section.

(1) Due to the expected high concentration of chlorine in the inlet and outlet of the CBS and the range of potential chlorine concentrations, there are several options for measuring the concentrations including modifications to Method 26 and 26A.

(i) Process Gas - inlet testing:

(A) Modifications to Method 26

(1) Modify Part 60, App. A-8, Method 26 section 7.1.5 Alkaline Absorbing Solution from 0.1 N sodium hydroxide (NaOH) to 6.0 N NaOH. The 6.0 N NaOH absorbing solution is prepared by dissolving 1920 grams of NaOH in deionized, distilled water as defined in Method 26 Section 7.1.2, and diluting to 8 L with water. This solution should be stored in high density polyethylene containers and used within ten days of preparation. Alternatively, commercially-prepared NaOH solution may be used.

(2) Modify Part 60, App. A-8, Method 26. section 6.1.3 Impingers to Method 26A, section 6.1.6 Impinger train. Use large impingers.

(3) Modify Part 60, App. A-8, Method 26 section 6.1.3 to the first two impingers with 100 mL of 0.1 N H₂SO₄ shall be Greenburg-Smith design with a standard tip and three impingers with 100 mL of 6.0 N NaOH solution per impinger shall be Greenburg-Smith design with a modified tip. Additional impingers containing 100 mL of 6.0 N NaOH solution may be added if necessary, to prevent the breakthrough of chlorine.

(4) Modify Part 60, App. A-8, Method 26 section 8.1.5 to adjust sample rate to 0.2 L/min, as indicated by the rate meter and maintain this rate to within 10 percent during the entire sample run.

(5) Modify Part 60, App. A-8, Method 26 section 8.2.2 recover the impingers as described in 8.2.2 with the following modifications. If CO₂ is present, the first NaOH impinger may turn to gel. If this happens, collect the gel in a container and rinse impinger with 0.1 N NaOH, record volume and send for analysis.

Note: Do not add the sodium thiosulfate to the recovered container unless the expected concentration of chlorine is known. If you know the expected chlorine concentration, when adding sodium thiosulfate to the sampling train impingers, use the following equation:

$$\textit{Thiosulfate} = \textit{Gas Volume} \times 2 \times \textit{known Cl}_2 \times 0.007 \text{ (Eq. 2)}$$

Where

Thiosulfate is the volume in mL of 0.1 M Sodium Thiosulfate

Gas Volume is the dry standard cubic feet of gas to be collected.

Known Cl₂ is the expected chlorine concentration in the flue gas in ppmv

If the chlorine concentration is unknown, let the laboratory know that the chlorine concentration may be high (percent level) and sodium thiosulfate needs to be added once a ppm range is determined through screening.

(6) Modify Part 60, App. A-8, Method 26 section 8.2.2 to after recovering samples and recording the total volume, collect an aliquot of impinger solution into 40 ml VOA vial with no headspace and label the sample container. If the chlorine concentration is unknown, let the laboratory know that the chlorine concentration may be high (percent level) and sodium thiosulfate needs to be added once a ppm range is determined through screening.

(7) Correction for CO₂ and chlorine absorption in the NaOH solution. The NaOH solution used to absorb the chlorine will also absorb some of the CO₂ from the flue gas. Before starting the test, measure the percent CO₂ in the stack. If the percent CO₂ is $\geq 5\%$, the CO₂ concentration in the stack and at the outlet of the dry gas meter must be measured continuously throughout the test. The amount of CO₂ removed from the stack gas needs to be added back into the sample

volume measured by the dry gas flow meter. Otherwise, the chlorine concentration determined will be higher than the true chlorine emissions. Use the following equation:

$$V_{\text{mcorr}} = \frac{\left(V_{\text{mstd}} \left(\frac{1 - \text{CO}_{2(\text{out})}}{1 - \text{CO}_{2(\text{in})}} \right) \right)}{(1 - \text{Cl}_{2(\text{in})})} \quad \text{(Eq. 3)}$$

Whereas:

V_{mcorr} - Corrected sample volume at standard conditions

V_{mstd} - Sample volume at standard conditions

$\text{CO}_{2(\text{in})}$ – Percent carbon dioxide as measured in the stack/duct

$\text{CO}_{2(\text{out})}$ – Percent carbon dioxide as measured at the outlet of the sample train

$\text{Cl}_{2(\text{in})}$ – Percent chlorine as measured in the sampling train

(B) Alternatively, use the Method 26 modifications (i)(A)(1) through (4), (6) and (7) and use a dilution sampling system with a dilution ratio of at least 30:1 using nitrogen as the diluent through the sampling train. Efforts should be made to minimize the length of sampling line and you must document the dilution ratio used and how the ratio was determined.

(C) Alternatively, collect a known volume of process gas into an evacuated teflon-lined cylinder or canister over a documented amount of time at the inlet. Once collected, use a gas tight syringe to pull an aliquot of a known volume of process gas and inject the gas into a solution of 6.0 N NaOH. The vial is shaken and analyzed for chloride according to Method 26.

(D) An alternative test method may be requested to EPA OAR, OAQPS, Measurement Technology Group according to §63.7(f).

(ii) Outlet testing: Since chlorine concentration is unknown and may be up to 5% chlorine the following modifications may be needed.

(A) Method 26A modifications

(1) Modify Part 60, App. A-8, Method 26A section 6.1.6 to the first two impingers with 100 mL of 0.1 N sulfuric acid (H_2SO_4) and three impingers with 100 mL of 6.0 N NaOH solution

per impinger. Additional impingers containing 100 mL of 6.0 N NaOH solution may be added if necessary to prevent breakthrough of chlorine.

(2) Modify Part 60, App. A-8, Method 26A section 8.2.4 Recover the sample as described in 8.2.4 with the following modifications. If CO₂ is present, the first NaOH impinger may turn to gel. If this happens, collect the gel in a container and rinse impinger with 0.1 N NaOH, record the volume and send for analysis.

Note: Do not add the sodium thiosulfate to the recovered container unless the expected concentration of chlorine is known. If you know the expected chlorine concentration, when adding sodium thiosulfate to the sampling train impingers, use equation 2.

If the chlorine concentration is unknown, let the laboratory know that the chlorine concentration may be high (percent level) and sodium thiosulfate needs to be added once a ppm range is determined through screening.

(3) Modify Part 60, App. A-8, Method 26A section 8.2.4 to add after recovering sample and recording the volume, collect an aliquot of impinger solution into 40 ml VOA vial with no headspace and label the sample container. If the chlorine concentration is unknown, let the laboratory know that the chlorine concentration may be high (percent level) and sodium thiosulfate needs to be added once a ppm range is determined through screening.

(4) Correction for CO₂ and chlorine absorption in the NaOH solution. The NaOH solution used to absorb the chlorine will also absorb some of the CO₂ from the flue gas. Before starting the test, measure the percent CO₂ in the stack. If the percent CO₂ is $\geq 5\%$, the CO₂ concentration in the stack and at the outlet of the dry gas meter must be measured continuously throughout the

test. The amount of CO₂ removed from the stack gas needs to be added back into the sample volume measured by the dry gas flow meter. Otherwise, the chlorine concentration determined will be higher than the true chlorine emissions. The isokinetic sample rate must be adjusted for CO₂ and chlorine absorption if the CO₂% in the stack gas is ≥ 5%. Use equation 3 for this correction.

(B) Alternatively, use the Method 26A modifications (ii)(A)(1) through (4), and use a dilution sampling system with a dilution ratio of at least 30:1 using nitrogen as the diluent through the sampling train. Efforts should be made to minimize the length of sampling line and you must document the dilution ratio used and how the ratio was determined.

(C) An alternative test method may be requested to EPA OAR, OAQPS, Measurement Technology Group, according to §63.7(f).

(2) Calculate the mass emissions rate (lbs/hr) of chlorine at the inlet and outlet of the control device according to paragraph (c) of this section.

(3) Calculate the percent removal efficiency of chlorine using Equation 4 of this section:

$$R = \frac{E_i - E_o}{E_i} (100) \quad (Eq. 4)$$

Where:

R = Control efficiency of control device(s).

E_i = Mass rate of chlorine to the inlet to the control device(s), lbs/hr.

E_o = Mass rate of chlorine at the outlet of the control device(s), lbs/hr.

§63.9915 What test methods and other procedures must I use to demonstrate initial compliance with dioxin/furan emission limits?

(a) ~~You must conduct each performance test that applies to your affected source according to the requirements in §63.7(e)(1).~~ You must conduct each performance test under conditions representative of normal operations. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(b) To determine compliance with the applicable emission limit for dioxins/furans in Table 1 to this subpart, you must follow the test methods and procedures specified in paragraphs (b)(1) and (2) of this section.

(1) Determine the concentration of dioxin and furan according to the following test methods in appendix A to 40 CFR part 60:

(i) Method 1 to select sampling port locations and the number of traverse points. Sampling ports must be located at the outlet of the control device and prior to any releases to the atmosphere.

(ii) Method 2, 2F, or 2G to determine the volumetric flow of the stack gas.

(iii) Method 3, 3A, or 3B to determine the dry molecular weight of the stack gas.

(iv) Method 4 to determine the moisture content of the stack gas.

(v) Method 23 to determine the concentration of dioxins/furans. For each dioxin/furan congener measured in accordance with this paragraph (b)(v), multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 2 of this subpart.

(2) Collect a minimum sample of 100 dscf during each test run. Three valid test runs are needed to comprise a performance test.

§63.9916 What test methods and other procedures must I use to establish and demonstrate initial compliance with the operating limits?

For a wet scrubber or other control devices subject to operating limits for pressure drop, ~~and~~ scrubber water flow rate, and pH or other appropriate approved operating parameters in §63.9890(b) and (c), you must establish site-specific operating limits according to the procedures in paragraphs (a) ~~and through (d)~~ of this section.

(a) Using the continuous parameter monitoring system (CPMS) required in §63.9920, measure and record the pressure drop, ~~and~~ scrubber water flow rate and pH or other appropriate approved operating parameter at least every 15 minutes during each run of the ~~particulate matter~~ performance tests.

(b) Compute and record the average pressure drop and scrubber water flow rate for each individual test run. Your operating limits are the lowest average individual pressure drop and scrubber water flow rate values in any of the three runs that meet the applicable emission limit.

(c) Compute the maximum and minimum pH for each individual test run. Your pH operating limits are the range between the lowest and highest pH readings recorded in any of the three runs that meet the applicable emission limit.

(d) If you are using an other appropriate operating parameter to demonstrate ongoing compliance, the process for the determination of the operating parameter limits needs to be approved by the Administrator.

§63.9917 How do I demonstrate initial compliance with the emission limitations and work practice standards that apply to me?

(a) For each affected source subject to an emission limit in Table 1 to this subpart, you have demonstrated initial compliance if:

(1) You have met the conditions in Table 3 to this subpart; and

(2) For each wet scrubber [or other control devices](#) subject to the operating limits for pressure drop, ~~and~~ scrubber water flow rate [and pH](#) in §63.9890(b) ~~or (c)~~, you have established appropriate site-specific operating limits and have a record of the pressure drop, ~~and~~ scrubber water flow rate [and pH or other appropriate approved operating parameters within limits or range](#) measured during the performance test in accordance with §63.9916.

(b) You have demonstrated initial compliance with the work practice standards in §63.9891 if you have certified in your notification of compliance status that:

(1) You have prepared a fugitive dust emissions control plan according to the requirements in §63.9891 and submitted the plan for approval; and

(2) You will operate according to the requirements in the plan.

§63.9918 How do I demonstrate initial compliance with the operation and maintenance requirements that apply to me?

You must demonstrate initial compliance by certifying in your notification of compliance status that you have met the requirements in paragraphs (a) and (b) of this section.

(a) You have prepared the operation and maintenance plan according to the requirements in §63.9910; and

(b) You will operate each control device according to the procedures in the plan.

§63.9920 What are my continuous monitoring requirements?

For each wet scrubber [or other control devices](#) subject to the operating limits for pressure drop, ~~and~~ scrubber water flow rates [and pH](#) in §63.9890(b) ~~and (c)~~, you must at all times monitor the hourly average pressure drop, ~~and~~ liquid flow rate [and pH or other appropriate approved operating parameters](#) using a CPMS according to the requirements in §63.9921(a).

§63.9921 What are the installation, operation and maintenance requirements for my monitors?

(a) For each wet scrubber or other control devices subject to the operating limits in §63.9890(b) and (c) for pressure drop ~~and~~, scrubber water flow rate and pH or other appropriate approved operating parameters, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (a)(1) ~~and through (23)~~ of this section.

(1) For the pressure drop CPMS, you must meet the requirements in paragraphs (a)(1)(i) through (vi):

(i) Locate the pressure sensor(s) in or as close to a position that provides a representative measurement of the pressure and that minimizes or eliminates pulsating pressure, vibration, and internal and external corrosion.

(ii) Use a gauge with a minimum measurement sensitivity of 0.5 inch of water or a transducer with a minimum measurement sensitivity of 1 percent of the pressure range.

(iii) Check the pressure tap for pluggage daily.

(iv) Using a manometer, check gauge calibration quarterly and transducer calibration monthly.

(v) Conduct calibration checks any time the sensor exceeds the manufacturer's specified maximum operating pressure range, or install a new pressure sensor.

(vi) At least monthly, inspect all components for integrity, all electrical connections for continuity, and all mechanical connections for leakage.

(2) For the scrubber water flow rate CPMS, you must meet the requirements in paragraphs (a)(2)(i) through (iv):

(i) Locate the flow sensor and other necessary equipment in a position that provides a representative flow and that reduces swirling flow or abnormal velocity distributions due to upstream and downstream disturbances.

(ii) Use a flow sensor with a minimum measurement sensitivity of 2 percent of the flow rate.

(iii) Conduct a flow sensor calibration check at least semiannually according to the manufacturer's instructions.

(iv) At least monthly, inspect all components for integrity, all electrical connections for continuity, and all mechanical connections for leakage.

(3) For the pH CPMS, you must meet the requirements in paragraphs (a)(3)(i) through (v):

(i) Use a pH CPMS with a minimum accuracy of + 0.2 pH units

(ii) Use a data recording system with a minimum resolution of 0.1 pH units, or better.

(iii) Perform an initial validation of your pH CPMS according to the requirements in (a)(3)(iii)(A) or (B) of this section.

(A) Perform two-point calibration using NIST-certified buffer solutions that are accurate to within + 0.02 pH units at 25 °C (77 °F). If the expected pH of the liquid that is monitored lies in the acidic range (equal to or less than 7 pH), use the buffer solutions with a pH value of 4.00 and 7.00. If the expected pH of the liquid that is monitored is neutral or lies in the basic range (equal to or greater than 7 pH), use buffer solutions with a pH value of 7.00 and 10.00. Place the electrode of your pH CPMS in the container of the buffer solution. Record the pH measured by your CPMS. Using the certified buffer solution as the reference, the pH measured by your CPMS must be within the accuracy specified in paragraph (a)(3)(i) of this section.

(B) Perform any of the initial validation methods for pH CPMS specified in performance specifications for CPMS established in 40 CFR part 60, appendix B, when promulgated.

(iv) Perform an accuracy audit of your pH CPMS at least weekly, according to the requirements in paragraph (a)(3)(iv)(A), (B), or (C) of this section.

(A) If your pH CPMS includes a redundant pH sensor, record the pH measured by each of the two pH sensors. The measurement must be taken during periods when the process and control device that is monitored by your pH CPMS are operating normally. The two pH values must agree with the required overall accuracy of the CPMS established in paragraph (a)(3) of this section.

(B) If your pH CPMS does not include a redundant pH sensor, perform a two-point calibration using NIST-certified buffer solutions that are accurate to within + 0.02 pH units at 25 °C (77 °F). If the expected pH of the liquid that is monitored lies in the acidic range (equal to or less than 7 pH), use the buffer solutions with a pH value of 4.00 and 7.00. If the expected pH of the liquid that is monitored is neutral or lies in the basic range (equal to or greater than 7 pH), use buffer solutions with a pH value of 7.00 and 10.00. Place the electrode of your pH CPMS in the container of the buffer solution. Record the pH measured by your CPMS. Using the certified buffer solution as the reference, the pH measured by your CPMS must be within the accuracy specified in paragraph (a)(3)(i) of this section.

(C) Perform any of the accuracy audit methods for pH CPMS specified in QA procedures for CPMS established in 40 CFR 60, appendix F.

(v) If your CPMS is not equipped with a redundant pH sensor, perform at least monthly a visual inspection of all components of the CPMS for integrity, oxidation and galvanic corrosion.

(b) You must install, operate, and maintain each CPMS for a wet scrubber or other control device according to the requirements in paragraphs (b)(1) through (34) of this section.

(1) Each CPMS must complete a minimum of one cycle of operation for each successive 15-minute period.

(2) Each CPMS must have valid data for at least 95 percent of every averaging period.

(3) Each CPMS must determine and record the hourly average of all recorded readings.

(4) You must meet the ongoing data quality assurance procedures in accordance with the general requirements of §63.8(d)(1) and (2). The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. The program of corrective action should be included in the plan required under §63.8(d)(2).

§63.9922 How do I monitor and collect data to demonstrate continuous compliance?

(a) Except for monitoring 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 an affected source is operating.

(b) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to

report emission or operating levels or to fulfill a minimum data availability requirement, if applicable. You must use all the data collected during all other periods in assessing compliance.

(c) A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

§63.9923 How do I demonstrate continuous compliance with the emission limitations and work practice standards that apply to me?

(a) For each affected source subject to an emission limit in Table 1 to this subpart, you must demonstrate continuous compliance according to the requirements in Table 4 to this subpart.

(b) For each wet scrubber or other control device subject to the operating limits for pressure drop, ~~and~~ scrubber water flow rate and pH in §63.9890(b) and (c), you must demonstrate continuous compliance according to the requirements in paragraphs (b)(1) and (2) of this section.

(1) Collecting and reducing the monitoring data according to §63.9921(b); and

(2) Maintaining the hourly average pressure drop, ~~and~~ scrubber water flow rate and pH at or above the minimum level or other appropriate operating parameter within the limits or ranges established during the initial or subsequent performance according to §63.9916.

(c) You must demonstrate continuous compliance with the work practice standards in §63.9891 by operating according to the requirements in your fugitive dust emissions control plan and recording information needed to document conformance with the requirements.

§63.9924 How do I demonstrate continuous compliance with the operation and maintenance requirements that apply to me?

For each emission point subject to an emission limit in Table 1 to this subpart, you must demonstrate continuous compliance with the operation and maintenance requirements in §63.9900 by performing preventive maintenance for each control device according to §63.9900(b) and recording all information needed to document conformance with these requirements.

§63.9925 What other requirements must I meet to demonstrate continuous compliance?

(a) *Deviations.* You must report each instance in which you did not meet each emission limitation in §63.9890 or work practice standard in §63.9891 and §63.9892 that applies to you. ~~This includes periods of startup, shutdown, and malfunction.~~ You must also report each instance in which you did not meet each operation and maintenance requirement required in §63.9900 that applies to you. These instances are deviations from the emission limitations, work practice standards, and operation and maintenance requirements in this subpart. These deviations must be reported according to the requirements in §63.9931.

~~(b) *Startups, shutdowns, and malfunctions.*~~ (b) [Reserved]

~~(1) 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).~~

~~(2) 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).~~

§63.9930 What notifications must I submit and when?

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

(b) As specified in §63.9(b)(2), if you startup your affected source before October 10, 2003, you must submit your initial notification no later than ~~February 9, 2004~~120 calendar days after October 10, 2003, or no later than 120 days after the source becomes subject to this subpart.

(c) As specified in §63.9(b)(3), if you start your new affected source on or after October 10, 2003, you must submit your initial notification no later ~~that~~than 120 calendar days after you become subject to this subpart.

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

(e) If you are required to conduct a performance test or other initial compliance demonstration, you must submit a notification of compliance status according to §63.9(h)(2)(ii), and the requirements in paragraphs (e)(1) and (2) of this section:

(1) For each initial compliance demonstration that does not include a performance test, you must submit the notification of compliance status before the close of business on the 30th calendar day following completion of the initial compliance demonstration.

(2) For each initial compliance demonstration that does include a performance test, 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).

§63.9931 What reports must I submit and when?

(a) *Compliance report due dates.* Unless the Administrator has approved a different schedule, you must submit a semiannual compliance report to your permitting authority according to the requirements in paragraphs (a)(1) through (5) of this section.

(1) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.9883 and ending on June 30 or December 31, whichever date comes after the compliance date that is specified for your source in §63.9883.

(2) The first compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date comes first after your compliance report is due.

(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date comes first after the end of the semiannual reporting period.

(5) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (a)(1) through (4) of this section.

(b) *Compliance report contents.* Each compliance report must include the information in paragraphs (b)(1) through (3) of this section and, as applicable, paragraphs (b)(4~~5~~) through (8) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

~~(4) [Reserved] (4) 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).~~

(5) If there were no deviations from the continuous compliance requirements in §§63.9923 and 63.9924 that apply to you, a statement that there were no deviations from the emission limitations, work practice standards, or operation and maintenance requirements during the reporting period.

(6) If there were no periods during which a CPMS was out-of-control as specified in §63.8(c)(7), a statement that there were no periods during which the CPMS was out-of-control during the reporting period.

(7) For each deviation from an emission limitation in §63.9890 that occurs at an affected source where you are not using a CPMS to comply with an emission limitation in this subpart, the compliance report must contain the information in paragraphs (b)(1) through (4) of this section and the information in paragraphs (b)(7)(i) and (ii) of this section. ~~This includes periods of startup, shutdown, and malfunction.~~

(i) The total operating time of each affected source during the reporting period.

(ii) Information on the number, duration, and cause of deviations (including unknown cause, if applicable) as applicable and the corrective action taken.

(8) For each deviation from an emission limitation occurring at an affected source where you are using a CPMS to comply with the emission limitation in this subpart, you must include the information in paragraphs (b)(1) through (4) of this section and the information in paragraphs (b)(8)(i) through (xi) of this section. ~~This includes periods of startup, shutdown, and malfunction.~~

(i) The date and time that each malfunction started and stopped.

(ii) The date and time that each continuous monitoring was inoperative, except for zero (low-level) and high-level checks.

(iii) The date, time, and duration that each continuous monitoring system was out-of-control, including the information in §63.8(c)(8).

(iv) The date and time that each deviation started and stopped, ~~and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period.~~

(v) A summary of the total duration of the deviation during the reporting period and the total duration as a percent of the total source operating time during that reporting period.

(vi) A breakdown of the total duration of the deviations during the reporting period including those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.

(vii) A summary of the total duration of continuous monitoring system downtime during the reporting period and the total duration of continuous monitoring system downtime as a percent of the total source operating time during the reporting period.

(viii) A brief description of the process units.

(ix) A brief description of the continuous monitoring system.

(x) The date of the latest continuous monitoring system certification or audit.

(xi) A description of any changes in continuous monitoring systems, processes, or controls since the last reporting period.

(c) ~~[Reserved] Immediate startup, shutdown, and malfunction report. If you had a startup, shutdown, or malfunction during the semiannual reporting period that was not consistent with~~

~~your startup, shutdown, and malfunction plan, you must submit an immediate startup, shutdown, and malfunction report according to the requirements in §63.10(d)(5)(ii).~~

(d) *Part 70 monitoring report.* If you have obtained a title V operating permit for an affected source pursuant to 40 CFR part 70 or 40 CFR part 71, you must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If you submit a compliance report for an affected source along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report includes all the required information concerning deviations from any emissions limitation, work practice standards, or operation and maintenance requirement in this subpart, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. However, submission of the compliance report does not otherwise affect any obligation you may have to report deviations from permit requirements for an affected source to your permitting authority.

(e) *Performance Test and CMS Performance Evaluation Reports.* Within 60 days after the date of completing each performance test or continuous monitoring system (CMS) performance evaluation (as defined in §63.2) required by this subpart, the owner or operator must submit the results of the performance test or performance evaluation according to the manner specified in paragraphs (e)(1) through (3) of this section.

(1) *Data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the 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 or the performance evaluation of CEMS measuring relative accuracy test audit (RATA) pollutants supported by the ERT to the EPA via the Compliance and Emissions Data

Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The data must be submitted in a file format generated through the use of the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website.

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

(3) Confidential business information (CBI). Do not use CEDRI to submit information you claim as CBI. Anything submitted using CEDRI cannot later be claimed CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information submitted under paragraph (e)(1) or (2) of this section, you must submit a complete file, including information claimed to be CBI, to the EPA. The file must be generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the 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 the EPA via the EPA's CDX as described in paragraph (e) of this section. All CBI claims must be asserted at the time of submission. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to

make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available.

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

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

§63.9932 What records must I keep?

(a) You must keep the records as indicated in paragraphs (a)(1) through (3) of this section:

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any initial notification or notification of compliance status that you submitted, according to the requirements in §63.10(b)(2)(xiv).

(2) ~~[Reserved] The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction~~

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

(b) You must keep the records required in §§63.9932 and 63.9933 to show continuous compliance with each emission limitation, work practice standard, and operating and maintenance requirement that applies to you.

(c) After [DATE OF PUBLICATION OF FINAL RULE IN THE FEDERAL REGISTER], you must keep records of each deviation as specified in paragraphs (c)(1) through (3) of this section.

(1) For each deviation record the date, time, and duration of each deviation.

(2) For each deviation, record and retain a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions.

(3) Record actions taken to minimize emissions in accordance with §63.9910(b), and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

§63.9933 In what form and how long must I keep my records?

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

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

(c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record according to §63.10(b)(1). You can keep the records off site for the remaining 3 years.

(d) You must keep your fugitive dust emissions control plan and your operation and maintenance plan on-site according to the requirements in §§63.9891(d) and 63.9900(c).

§63.9940 What parts of the General Provisions apply to me?

Table 4 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you.

§63.9941 Who implements and enforces this subpart?

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

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

(c) The authorities that will not be delegated to State, local, or tribal agencies are specified in paragraphs (c)(1) through (45) of this section.

(1) Approval of alternatives to the non-opacity emission limitations in §63.9890 and work practice standards in §63.9891 under §63.6(g).

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

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

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

(5) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

§63.9942 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act, in §63.2, and in this section as follows:

Chlorine plant bypass stackscrubber (CBS) means the stackwet scrubber that captures chlorine gas during a from the chlorine plant, shut down or failure.

Chlorine reduction burner (CRB) means a control device for the melt/reactor that reduces chlorine gas to hydrogen chloride gas using natural gas as a fuel.

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 operating limits) or operation and maintenance requirement;

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

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

Emission limitation means any emission limit, opacity limit, or operating limit.

~~Force majeure event means a release of HAP directly to the atmosphere from a pressure relief device that is demonstrated to the satisfaction of the Administrator to result from an event beyond the owner or operator's control, such as natural disasters; acts of war or terrorism; loss of a utility external to the site remediation unit (e.g., external power curtailment), excluding power curtailment due to an interruptible service agreement; and fire or explosion originating at a near or adjoining facility outside of the site remediation affected source that impacts the site remediation affected source's ability to operate.~~

Launder off-gas system means a system that collects chlorine and hydrochloric acid fumes from collection points within the melt/reactor system building. The system then removes particulate matter and hydrochloric acid from the collected gases prior to discharge to the atmosphere.

Magnesium chloride storage bins means vessels that store dried magnesium chloride powder produced from the spray drying operation.

Melt/reactor system means a system that melts and chlorinates dehydrated brine to produce high purity molten magnesium chloride feed for electrolysis.

Primary magnesium refining means the production of magnesium metal and magnesium metal alloys from natural sources of magnesium chloride such as sea water or water from the Great Salt Lake and magnesium bearing ores.

Responsible official means responsible official as defined in §63.2.

Spray dryer means dryers that evaporate brine to form magnesium powder by contact with high temperature gases exhausted from gas turbines.

Wet scrubber means a device that contacts an exhaust gas with a liquid to remove particulate matter and acid gases from the exhaust. Examples are packed-bed wet scrubbers and venturi scrubbers.

Work practice standard means any design, equipment, work practice, or operational standard, or combination thereof, that is promulgated pursuant to section 112(h) of the Clean Air Act.

Table 1 to Subpart TTTT: Emission Limits

As required in §63.9890(a), you must comply with each applicable emission limit in the following table:

For . . .	You must comply with each of the following . . .
1. Each spray dryer stack	a. You must not cause to be discharged to the atmosphere any gases that contain particulate matter in excess of 100 lbs/hr; and
	b. You must not cause to be discharged to the atmosphere any gases that contain hydrochloric acid in excess of 200 lbs/hr.
2. Each magnesium chloride storage bins scrubber stack	a. You must not cause to be discharged to the atmosphere any gases that contain hydrochloric acid in excess of 47.5 lbs/hr and 0.35 gr/dscf; and
	b. You must not cause to be discharged to the atmosphere any gases that contain PM ₁₀ in excess of 2.7 lbs/hr and 0.016 gr/dscf.
3. Each melt/reactor system stack	a. You must not cause to be discharged to the atmosphere any gases that contain PM ₁₀ in excess of 13.1 lbs/hr; and
	b. You must not cause to be discharged to the atmosphere any gases that contain hydrochloric acid in excess of 7.2 lbs/hr; and
	c. You must not cause to be discharged to the atmosphere any gases that contain chlorine in excess of 100 lbs/hr; and
	d. You must not cause to be discharged to the atmosphere any gases that contain 36 ng TEQ/dscm corrected to 7% oxygen.
4. Each launder off-gas system stack	a. You must not cause to be discharged to the atmosphere any gases that contain particulate matter in excess of 37.5 lbs/hr; and
	b. You must not cause to be discharged to the atmosphere any gases that contain hydrochloric acid in excess of 46.0 lbs/hr; and
	c. You must not cause to be discharged to the atmosphere any gases that contain chlorine in excess of 26.0 lbs/hr.
5. Each chlorine bypass stack	a. You must operate the control device and demonstrate <u>≥95 percent control efficiency for chlorine emissions.</u>

Table 2 to Subpart TTTTT: Toxic Equivalency Factors

Dioxin/furan congener	Toxic equivalency factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	1
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.0001
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1
2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
octachlorinated dibenzofuran	0.0001

Table 3 to Subpart TTTTT: Initial Compliance With Emission Limits

As required in 63.9916, you must demonstrate initial compliance with the emission limits according to the following table:

For . . .	You have demonstrated initial compliance if . . .
1. Each spray dryer stack	a. The average mass flow of particulate matter from the control system applied to emissions from each spray dryer, measured according to the performance test procedures in §63.9913(c), did not exceed 100 lbs/hr; and
	b. The average mass flow of hydrochloric acid from the control system applied to emissions from each spray dryer, determined according to the performance test procedures in §63.9914(c), did not exceed 200 lbs/hr.
2. Each magnesium chloride storage bin scrubber stack	a. The average mass flow of hydrochloric acid from the control system applied to the magnesium chloride storage bins scrubber exhaust, measured according to the performance test procedure in §63.9914, did not exceed 47.5 lbs/hr and 0.35 gr/dscf; and
	b. The average mass flow of PM ₁₀ from the control system applied to the magnesium chloride storage bins scrubber exhaust, determined according to the performance test procedures in §63.9913, did not exceed 2.7 lbs/hr and 0.016 gr/dscf.
3. Each melt/reactor system stack	a. The average mass flow of PM ₁₀ from the control system applied to the melt/reactor system exhaust, measured according to the performance test procedures in §63.9913, did not exceed 13.1 lbs/hr; and
	b. The average mass flow of hydrochloric acid from the control system applied to the melt/reactor system exhaust, measured according to the performance test procedures in §63.9914, did not exceed 7.2 lbs/hr; and
	c. The average mass flow of chlorine from the control system applied to the melt/reactor system exhaust, measured according to the performance test procedures in §63.9914, did not exceed 100 lbs/hr.
	d. The average concentration of dioxins/furans from the control system applied to the melt/reactor system exhaust, measured according to the performance test procedures in §63.9915, did not exceed 36 ng TEQ/dscm corrected to 7% oxygen.
4. Each launder off-gas system stack	a. The average mass flow of particulate matter from the control system applied to the launder off-gas system collection system exhaust, measured according to the performance test procedures in §63.9913, did not exceed 37.5 lbs/hr; and
	b. The average mass flow of hydrochloric acid from the control system applied to the launder off-gas system collection system exhaust,

For . . .	You have demonstrated initial compliance if . . .
	<p>measured according to the performance test procedures in §63.9914, did not exceed 46.0 lbs/hr; and</p> <p>c. The average mass flow of chlorine from the control system applied to the launder off-gas system collection system exhaust, measured according to the performance test procedures in §63.9914, did not exceed 26.0 lbs/hr.</p>
5. <u>Each chlorine bypass stack</u>	a. The <u>control device</u> efficiency is ≥ 95 percent for chlorine emissions.

Table 4 to Subpart TTTT: Continuous Compliance With Emission Limits

As required in §63.9923, you must demonstrate continuous compliance with the emission limits according to the following table:

For . . .	You must demonstrate continuous compliance by . . .
1. Each spray dryer stack	a. Maintaining emissions of PM ₁₀ at or below 100 lbs/hr; and
	b. Maintaining emissions of hydrochloric acid at or below 200 lbs/hr; and
	c. Conducting subsequent performance tests at least twice during each term of your title V operating permit (at mid-term and renewal).
2. Magnesium chloride storage bins scrubber stack	a. Maintaining emissions of hydrochloric acid at or below 47.5 lbs/hr and 0.35 gr/dscf; and
	b. Maintaining emissions of PM ₁₀ at or below 2.7 lbs/hr and 0.016 gr/dscf; and
	c. Conducting subsequent performance tests at least twice during each term of your title V operating permit (at mid-term and renewal).
3. Each melt/reactor system stack	a. Maintaining emissions of PM ₁₀ at or below 13.1 lbs/hr; and
	b. Maintaining emissions of hydrochloric acid at or below 7.2 lbs/hr; and
	c. Maintaining emissions of chlorine at or below 100 lbs/hr; and
	d. Maintaining emissions of dioxins/furans at or below 36 ng TEQ/dscm corrected to 7% oxygen.
	e. Conducting subsequent performance test at least twice during each term of your title V operating permit (at mid-term and renewal).
4. Each launder off-gas system stack	a. Maintaining emissions of particulate matter at or below 37.5 lbs/hr; and
	b. Maintaining emissions of hydrochloric acid at or below 46.0 lbs/hr; and
	c. Maintaining emissions of chlorine at or below 26.0 lbs/hr; and
	d. Conducting subsequent performance tests at least twice during each term of your title V operating permit (at mid-term and renewal).
5. Each chlorine bypass stack	a. Operating and maintaining <u>≥95 percent control efficiency for chlorine emissions.</u>
	b. Conducting subsequent performance tests at least twice during each term of your title V operating permit (at mid-term and renewal).

Table 5 to Subpart TTTTT: Applicability of General Provisions to Subpart TTTTT of Part

63

As required in §63.9950, you must comply with the requirements of the NESHAP

General Provisions (40 CFR part 63, subpart A) shown in the following table:

Citation	Subject	Applies to Subpart TTTTT	Explanation
63.1	Applicability	Yes.	
63.2	Definitions	Yes.	
63.3	Units and Abbreviations	Yes.	
63.4	Prohibited Activities	Yes.	
63.5	Construction and Reconstruction	Yes.	
63.6(a)-(g)	Compliance with Standards and Maintenance Requirements-Applicability	Yes.	
63.6(b)(1)-(4)	Compliance dates for new <u>and</u> reconstructed sources	<u>Yes.</u>	<u>§63.9883 specifies compliance dates</u>
63.6(b)(5)	Notification if commenced construction or reconstruction after proposal	<u>Yes.</u>	
63.6(b)(6)	[Reserved]	<u>Yes.</u>	
63.6(b)(7)	Compliance dates for new or reconstructed area sources that become major	<u>Yes.</u>	<u>§63.9883 specifies compliance dates.</u>
63.6(c)(1)-(2)	Compliance dates for existing sources	<u>Yes.</u>	<u>§63.9883 specifies compliance dates.</u>
63.6(c)(3)-(4)	[Reserved]	<u>Yes.</u>	
63.6(c)(5)	Compliance dates for existing area sources that become major	<u>Yes.</u>	<u>§63.9883 specifies compliance dates.</u>
63.6(d)	[Reserved]	<u>Yes.</u>	
63.6(e)(1)(i)	General duty to minimize emissions	<u>No.</u>	<u>Subpart TTTTT requires affected units to meet</u>

Citation	Subject	Applies to Subpart TTTT	Explanation
			<u>emissions standards at all times. See §63.9910(b) for general duty requirement.</u>
63.6(e)(1)(ii)	Requirement to correct malfunctions <u>as soon as practicable</u>	<u>No.</u>	
63.6(e)(3)	SSM plans	<u>No.</u>	
63.6(f)(1)	Compliance except during SSM	<u>No.</u>	
<u>63.6(f)(2)-(3)</u>	<u>Methods for determining compliance</u>	<u>Yes.</u>	
63.6(g)	Use of an alternative non-opacity emission standard	<u>Yes.</u>	
63.6(h)	Determining Compliance with Opacity and Visible Emission Standards	No.	
63.6(i)-(j)	Extension of Compliance and Presidential Compliance Exemption	Yes.	
63.7(a)(1)-(2)	Applicability and Performance Test Dates	<u>No.</u>	Subpart TTTT specifies performance test applicability and dates.
63.7(a)(3)- (4) , (b)- (d) , (e)(2)-(4), (f)- (h)	Performance Testing Requirements	Yes.	
63.7(e)(1)	Conditions for conducting performance tests	<u>No.</u>	<u>See §63.9913(a) for performance testing requirements.</u>
63.8 except for (a)(4), (c)(1)(i), (c)(1)(iii), (c)(4), and (f)(6)	Monitoring Requirements	Yes.	
63.8(a)(4)	Additional Monitoring Requirements for Control Devices in §63.11	<u>No.</u>	Subpart TTTT does not require flares.
63.8(c)(1)(i)	<u>General duty to minimize emissions and CMS operation</u>	<u>No.</u>	
63.8(c)(1)(iii)	<u>Requirement to develop SSM Plan for CMS</u>	<u>No.</u>	

Citation	Subject	Applies to Subpart TTTT	Explanation
63.8(c)(4)	Continuous Monitoring System Requirements	No.	Subpart TTTT specifies requirements for operation of CMS.
63.8(f)(6)	Relative Accuracy Test Alternative (RATA)	No.	Subpart TTTT does not require continuous emission monitoring systems.
63.9 except for (g)(5)	Notification Requirements	Yes.	
63.9(g)(5)	Data Reduction	No.	Subpart TTTT specifies data reduction requirements.
63.10 except for (b)(2)(xiii) and (e)(7)-(8)	Recordkeeping and Reporting Requirements	Yes.	
63.10(a)	Recordkeeping/reporting applicability	Yes.	
63.10(b)(1)	General recordkeeping requirements	Yes.	
63.10(b)(2)(i)-(ii)	Records related to SSM periods	No.	
63.10(b)(2)(iii)	Maintenance Records	Yes.	
63.10(b)(2)(iv)	Actions taken to minimize emissions during SSM	No.	See §63.9932 for recordkeeping when there is a deviation from a standard.
63.10(b)(2)(v)	Actions taken to minimize emissions during SSM	No.	
63.10(b)(2)(vi)	Recordkeeping for CMS malfunctions	Yes.	
63.10(b)(2)(vii)-(xi)	Records for performance tests and CMS	Yes.	
63.10(b)(2)(xiii)	Continuous Monitoring System (CMS) Records for RATA Alternative	No.	Subpart TTTT does not require continuous emission monitoring systems.
63.10(b)(2)(xiv)	All documentation supporting initial notification and notification of compliance status.	Yes.	

Citation	Subject	Applies to Subpart TTTT	Explanation
63.10(b)(3)	Recordkeeping requirements for applicability determinations.	Yes.	
63.10(c), except for (c)(7)-(8) and (c)(15)	Additional recordkeeping requirements for sources with CPMS.	Yes.	
63.10(c)(7)-(8)	Records of Excess Emissions and Parameter Monitoring Ex Acce <u>d</u> ences for CMS	No.	Subpart TTTT specifies recordkeeping requirements.
63.10(c)(15)	Use of SSM Plan	No.	
63.10(d), except for (d)(5)	General Reporting Requirements	Yes.	
63.10(d)(5)	SSM reports	No.	See §63.9931(b)(4) for malfunction reporting requirements.
63.10(e)	Additional reporting requirements for sources with CMS	Yes.	
63.10(f)	Waiver of recordkeeping or reporting requirements	Yes.	
63.11	Control Device Requirements	No.	Subpart TTTT does not require flares.
63.12	State Authority and Delegations	Yes.	
63.13-63.15	Addresses, Incorporation by Reference, Availability of Information	Yes.	