

## MEMORANDUM

**DATE:** July 1, 2023

**FROM:** Donna Lee Jones, U.S. Environmental Protection Agency

**TO:** EAF NSPS Docket ID No. EPA-HQ-OAR-2002-0049

**SUBJECT:** EAF NSPS Redline Versions of Final Rule Changes for 40 CFR part 60, subparts AA and AAa

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This memorandum includes the redline versions of the final rule changes to the following EAF NSPS:

- Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983; and
- Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983 and On or Before May 16, 2022.

## Title 40: Protection of Environment

### Part 60 Standards of Performance for New Stationary Sources

#### Subpart AA— Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983

##### §60.270 Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the following affected facilities in steel plants that produce carbon, alloy, or specialty steels: electric arc furnaces and dust-handling systems.

(b) The provisions of this subpart apply to each affected facility identified in paragraph (a) of this section that commenced construction, modification, or reconstruction after October 21, 1974, and on or before August 17, 1983, where a modification is any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which this standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which this standard applies) into the atmosphere not previously emitted. See §60.14.

##### §60.271 Definitions.

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

(a) *Electric arc furnace (EAF)* means a furnace that produces molten steel and heats the charge materials with electricity using arcs from carbon electrodes. Furnaces that continuously feed direct-reduced iron ore pellets as the primary source of iron are not affected facilities within the scope of this definition.

(b) *Dust-handling equipment* means any equipment used to handle particulate matter collected by the control device and located at or near the control device for an EAF subject to this subpart.

(c) *Control device* means the air pollution control equipment used to remove particulate matter generated by an EAF(s) from the effluent gas stream.

(d) *Capture system* means the equipment (including ducts, hoods, fans, dampers, etc.) used to capture ~~or transport~~ particulate matter generated by the operation of an EAF and transport captured particulate matter to the air pollution control device.

(e) *Charge* means the addition of iron and steel scrap or other materials into the topshell of an electric arc furnace.

(f) *Charging period* means the time period when iron and steel scrap or other materials are added into the top of an EAF until the melting and refining period commences~~commencing at the moment an EAF starts to open and ending either three minutes after the EAF roof is returned to its closed position or six minutes after commencement of opening of the roof, whichever is longer.~~

(g) *Tap* means the pouring of molten steel from an EAF.

(h) *Tapping period* means the time period commencing at the moment an EAF begins to pour molten steel and ending either three minutes after steel ceases to flow from an EAF, or six minutes after steel begins to flow, whichever is longer.

(i) *Meltingdown and refining* means that phase of the steel production cycle when charge material is melted and undesirable elements are removed from the metal.

(j) *Meltingdown and refining period* means the time period commencing at the ~~termination of the~~ initial ~~charging energizing of the electrode to begin the melting process~~ period and ending at the initiation of the tapping period, excluding any intermediate ~~charging periods and~~ times when the electrodes are not energized as part of the melting process ~~power to the EAF is off~~.

(k) *Shop opacity* means the arithmetic average of 24 or more opacity observations of any EAF emissions emanating from, and not within, the shop, taken in accordance with EPA Method 9 of appendix A of this part for the applicable time periods. Alternatively, ASTM D7520-16 (incorporated by reference, see §60.17), may be used with the following five conditions: (1) During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520-16 (incorporated by reference, see §60.17), the owner or operator or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand);

(2) The owner or operator must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520-16 (incorporated by reference, see §60.17);

(3) The owner or operator must follow the recordkeeping procedures outlined in §60.7(f) for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination;

(4) The owner or operator or the DCOT vendor must have a minimum of four independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of anyone reading and the average error must not exceed 7.5 percent opacity;

(5) Use of this approved alternative does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software, and operator in accordance with ASTM D7520-16 (incorporated by reference, see §60.17) and these requirements is on the facility, DCOT operator, and DCOT vendor.

(l) *Heat time* means the period commencing when scrap is charged to an empty EAF and terminating when the EAF tap is completed.

(m) *Shop* means the building ~~which~~that houses one or more EAF's and serves as the point from which compliance with §60.272(a)(3), "Standard for Particulate Matter," is measured.

(n) *Direct shell evacuation system* means any system that creates and maintains a negative pressure within the EAF ~~above the slag or metal and ducts shell during melting and refining, and transports these~~ emissions to the control device.

(o) *Bag leak detection system* means a system that is capable of continuously monitoring relative particulate matter (dust) loadings in the exhaust of a baghouse to detect bag leaks and other conditions that result in increases in particulate loadings. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, electrodynamic, light scattering, light transmittance, or other effect to continuously monitor relative particulate matter loadings.

(p) Damper means any device used to open, close or throttle a DEC system or hood designed to capture emissions from an EAF and route them to the associated control device(s). It does not include isolation dampers used to isolate a fan or baghouse compartment for repair or cleaning, or dampers controlling collection of emissions from equipment other than an EAF.

(q) Negative-pressure fabric filter means a fabric filter with the fans on the downstream side of the filter bags.

(r) Positive-pressure fabric filter means a fabric filter with the fans on the upstream side of the filter bags.

#### **§60.272 Standard for particulate matter.**

(a) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from an electric arc furnace any gases which:

(1) Exit from a control device and contain particulate matter in excess of 12 mg/dscm (0.0052 gr/dscf).

(2) Exit from a control device and exhibit three percent opacity or greater, as measured in accordance with EPA Method 9 of appendix A of this part, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271.

(3) Exit from a shop and, due solely to operations of any EAF(s), exhibit 6 percent opacity or greater, as measured in accordance with EPA Method 9 of appendix A of this part, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271. Shop opacity shall be recorded for any point(s) where visible emissions are observed. Where it is possible to determine that a number of visible emission sites relate to only one incident of visible emissions, only one observation of shop opacity will be required. In this case, the shop opacity observations must be made for the site of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident, except:

(i) Shop opacity less than 20 percent may occur during charging periods.

(ii) Shop opacity less than 40 percent may occur during tapping periods.

(iii) The shop opacity standards under paragraph (a)(3) of this section shall apply only during periods when the monitoring parameter limits specified in §60.274(b) are being established according to §60.274(c) and (g), unless the owner or operator elects to perform daily shop opacity observations in lieu of furnace static pressure monitoring as provided for under §60.273(d).

(iv) Where the capture system is operated such that the roof of the shop is closed during the charge and the tap, and emissions to the atmosphere are prevented until the roof is opened after completion of the charge or tap, the shop opacity standards under paragraph (a)(3) of this section shall apply when the roof is opened and shall continue to apply for the length of time defined by the charging and/or tapping periods.

(b) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from dust-handling equipment any gases which exhibit 10 percent opacity or greater, as measured in accordance with EPA Method 9 of appendix A of this part, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271.

### §60.273 Emission monitoring.

(a) A continuous monitoring system for the measurement of the opacity of emissions discharged into the atmosphere from the control device(s) shall be installed, calibrated, maintained, and operated by the owner or operator subject to the provisions of this subpart.

(b) For the purpose of reports under §60.7(c), all six-minute periods during which the average opacity is three percent or greater shall indicate a period of excess emission, and shall be reported to the Administrator semi-annually.

(c) A continuous monitoring system for the measurement of the opacity of emissions discharged into the atmosphere from the control device(s) is not required on any modular, multi-stack, negative-pressure or positive-pressure fabric filter or on any single-stack fabric filter if observations of the opacity of the visible emissions from the control device are performed by a certified visible emission observer; ~~or on any single-stack fabric filter if visible emissions from the control device are performed by a certified visible emission observer~~ and the owner installs and ~~continuously~~ operates a bag leak detection system according to paragraph (e) of this section whenever the control device is being used to remove particulate matter from the EAF. Visible emission observations shall be conducted at least once per day of the control device for at least three 6-minute periods when the furnace is operating in the melting and refining period. All visible emissions observations shall be conducted in accordance with EPA Method 9 of appendix A to this part, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271. If visible emissions occur from more than one point, the opacity shall be recorded for any points where visible emissions are observed. Where it is possible to determine that a number of visible emission sitespoints relate to only one incident of the visible emission, only one set of three 6-minute observations will be required. In that case, the EPA Method 9 observations must be made for the sitepoint of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident. Records shall be maintained of any 6-minute average that is in excess of the emission limit specified in §60.272(a)(2).

(d) A furnace static pressure monitoring device is not required on any EAF equipped with a DEC system if observations of shop opacity are performed by a certified visible emission observer as follows:

(1) At least once per day when the furnace is operating.

(2) No less than once per week, commencing from the tap of one EAF heat cycle to the tap of the following heat cycle. A melt shop with more than one EAF shall conduct these readings while both EAFs are in operation. Both EAFs are not required to be on the same schedule for tapping.

~~Shop opacity observations shall be conducted at least once per day when the furnace is operating in the meltdown and refining period.~~

(3) Shop opacity shall be determined as the arithmetic average of 24 or more consecutive 15-second opacity observations of emissions from the shop taken in accordance with EPA Method 9, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271. Shop opacity shall be recorded for any point(s) where visible emissions are observed in proximity to an affected EAF. Where it is possible to determine that a number of visible emission sitespoints relate to only one incident of visible emissions, only one observation of shop opacity will be required. In this case, the shop opacity observations must be made for the sitepoint of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident.

(e) A bag leak detection system must be installed ~~and continuously operated~~ on all single-stack fabric filters and operated whenever the control device is being used to remove particulate matter from the EAF if the

owner or operator elects not to install and operate a continuous opacity monitoring system as provided for under paragraph (c) of this section. In addition, the owner or operator shall meet the visible emissions observation requirements in paragraph (c) of this section. The bag leak detection system must meet the specifications and requirements of paragraphs (e)(1) through (8) of this section.

(1) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 1 milligram per actual cubic meter (0.00044 grains per actual cubic foot) or less.

(2) The bag leak detection system sensor must provide output of relative particulate matter loadings and the owner or operator shall continuously record the output from the bag leak detection system using electronic or other means (*e.g.*, using a strip chart recorder or a data logger.)

(3) The bag leak detection system must be equipped with an alarm system that will ~~sound~~activate when an increase in relative particulate loading is detected over the alarm set point established according to paragraph (e)(4) of this section, and the alarm must be located such that it can be ~~heard~~identified by the appropriate plant personnel.

(4) For each bag leak detection system required by paragraph (e) of this section, the owner or operator shall develop and submit to the Administrator or delegated authority, for approval, a site-specific monitoring plan that addresses the items identified in paragraphs (i) through (v) of this paragraph (e)(4). For each bag leak detection system that operates based on the triboelectric effect, the monitoring plan shall be consistent with the recommendations contained in the U.S. Environmental Protection Agency guidance document “Fabric Filter Bag Leak Detection Guidance” (EPA-454/R-98-015). The owner or operator shall operate and maintain the bag leak detection system according to the site-specific monitoring plan at all times. The plan shall describe:

(i) Installation of the bag leak detection system;

(ii) Initial and periodic adjustment of the bag leak detection system including how the alarm set-point will be established;

(iii) Operation of the bag leak detection system including quality assurance procedures;

(iv) How the bag leak detection system will be maintained including a routine maintenance schedule and spare parts inventory list; and

(v) How the bag leak detection system output shall be recorded and stored.

(5) The initial adjustment of the system shall, at a minimum, consist of establishing the baseline output by adjusting the sensitivity (range) and the averaging period of the device, and establishing the alarm set points and the alarm delay time (if applicable).

(6) Following initial adjustment, the owner or operator shall not adjust the averaging period, alarm set point, or alarm delay time without approval from the Administrator or delegated authority except as provided for in paragraphs (e)(6)(i) and (ii) of this section.

(i) Once per quarter, the owner or operator may adjust the sensitivity of the bag leak detection system to account for seasonal effects including temperature and humidity according to the procedures identified in the site-specific monitoring plan required under paragraphs (e)(4) of this section.

(ii) If opacities greater than zero percent are observed over four consecutive 15-second observations during the daily opacity observations required under paragraph (c) of this section and the alarm on the bag leak detection system ~~does not sound~~alarm is not activated, the owner or operator shall lower the alarm set point on the bag leak detection system to a point where the alarm would have ~~been activated~~sounded during the period when the opacity observations were made.

(7) For negative pressure, induced air baghouses, and positive pressure baghouses that are discharged to the atmosphere through a stack, the bag leak detection sensor must be installed downstream of the baghouse ~~and~~ upstream of any wet scrubber.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(f) For each bag leak detection system installed according to paragraph (e) of this section, the owner or operator shall initiate procedures to determine the cause of all alarms within 1 hour of an alarm. ~~Except as provided for in paragraph (g) of this section, the~~The cause of the alarm must be alleviated within ~~243~~ hours of the time the alarm occurred by taking whatever ~~corrective~~response action(s) are necessary. ~~Response~~Corrective actions may include, but are not limited to the following:

(1) Inspecting the baghouse for air leaks, torn or broken bags or filter media, or any other condition that may ~~have~~caused an increase in particulate emissions;

(2) Sealing off defective bags or filter media;

(3) Replacing defective bags or filter media or otherwise repairing the control device;

(4) Sealing off a defective baghouse compartment;

(5) Cleaning the bag leak detection system probe or otherwise repairing the bag leak detection system;

~~or~~

~~(6) Establishing to the extent acceptable by the delegated authority that the alarm was a false alarm and not caused by a bag leak or other malfunction that could reasonably result in excess particulate emissions; or~~

~~(7)~~ Shutting down the process producing the particulate emissions.

(g) In approving the site-specific monitoring plan required in paragraph (e)(4) of this section, the Administrator or delegated authority may allow owners or operators more than ~~243~~ hours to alleviate specific conditions that cause an alarm if the owner or operator identifies the condition that could lead to an alarm in the monitoring plan, adequately explains why it is not feasible to alleviate the condition within ~~243~~ hours of the time the alarm occurred, and demonstrates that the requested additional time will ensure alleviation of the condition as expeditiously as practicable.

#### **§60.274 Monitoring of operations.**

(a) The owner or operator subject to the provisions of this subpart shall maintain records daily of the following information:

(1) Time and duration of each charge;

(2) Time and duration of each tap;

(3) All flow rate data obtained under paragraph (b) of this section, or equivalent obtained under paragraph (d) of this section; and

(4) All pressure data obtained under paragraph (f) of this section.

(b) Except as provided under paragraph (d) of this section, the owner or operator subject to the provisions of this subpart shall (1) Monitor and record on a continuous basis the rolling 15-minute average furnace static pressure (if a DEC system is in use, and a furnace static pressure gauge is installed according to paragraph (f) of this section) and either: check

~~and record on a once-per-shift basis furnace static pressure (if a DEC system is in use, and a furnace static pressure gauge is installed according to paragraph (f) of this section) and either:~~

~~(i) Install, calibrate, and maintain a monitoring device that continuously check and records the control/capture system fan motor amperes and damper position(s) on a once-per-shift basis; and~~

~~(ii) Install, calibrate, and maintain a monitoring device that continuously records on a rolling 15-minute average basis either the volumetric flow rate through each separately ducted hood; or;~~

~~(iii) or i) Install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate at the control device inlet and check and continuously record damper position(s) on a once-per-shift basis.~~

(2) The volumetric flow monitoring device(s) may be installed in any appropriate location in the exhaust duct/capture system such that reproducible flow rate monitoring will result. The flow rate monitoring device(s) shall have an accuracy of ±10 percent over its normal operating range and shall be calibrated according to the manufacturer's instructions. The Administrator may require the owner or operator to demonstrate the accuracy of the monitoring device(s) relative to EPA Methods 1 and 2 of appendix A of this part.

(3) Parameters monitored pursuant to this paragraph, excluding damper position, shall be recorded on a rolling averaging period not to exceed 15 minutes.

(c) When the owner or operator of an affected facility is required to demonstrate compliance with the standards under §60.272(a)(3) and at any other time that the Administrator may require (under section 114 of the CAA, as amended), the owner or operator shall determine during periods in which a hood is operated for the purpose of capturing emissions from the affected facility subject to paragraph (b) of this section, either:

(1) Monitor and record the fan motor amperes at each damper position, and damper position consistent with paragraph (i)(5) of this section;

(2) install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate through each separately ducted hood; or

(3) install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate at the control device inlet and monitor and record the damper position consistent with paragraph (i)(5) of this section.

~~the control system fan motor amperes and all damper positions, the volumetric flow rate through each separately ducted hood, or~~

~~the volumetric flow rate at the control device inlet(s) and all damper positions shall be determined during all periods in which a hood is operated for the purpose of capturing emissions from the affected facility subject to paragraph (b) of this section.~~



(4) Parameters monitored pursuant to this paragraph, excluding damper position, shall be recorded on a rolling averaging period not to exceed 15 minutes.

(5) The owner or operator may petition the Administrator or delegated authority for reestablishment of these parameters whenever the owner or operator can demonstrate to the Administrator's or delegated authority's satisfaction that the EAF operating conditions upon which the parameters were previously established are no longer applicable. The values of ~~thesethe~~ parameters as determined during the most recent demonstration of compliance shall be ~~maintained at~~ the appropriate ~~level for operational range or control set point throughout~~ each applicable period. Operation at ~~other than baseline~~ values ~~beyond the accepted operational range or control set point~~ may be subject to the requirements of §60.276(a).

(d) The owner or operator may petition the Administrator or delegated authority to approve any alternative method that will provide a continuous record of operation of each emission capture system.

(e) The owner or operator shall perform monthly operational status inspections of the equipment that is important to the performance of the total capture system (i.e., pressure sensors, dampers, and damper switches). This inspection shall include observations of the physical appearance of the equipment (e.g., presence of hole in ductwork or hoods, flow constrictions caused by dents or ~~aeaccumulated~~excess accumulations of dust in ductwork, and fan erosion) and building inspections to ensure that the building does not have any holes or other openings for particulate matter laden air to escape. Any deficiencies that are determined by the operator to materially impact the efficacy of the capture system shall be noted and proper maintenance performed.

(f) Except as provided for under §60.273(d), where emissions during any phase of the heat time are controlled by use of a direct shell evacuation system, the owner or operator shall install, calibrate, and maintain a monitoring device that continuously records the pressure in the free space inside the EAF. The pressure shall be recorded as no greater than 15-minute integrated block averages. The monitoring device may be installed in any appropriate location in the EAF or DEC duct prior to the introduction of ambient air such that reproducible results will be obtained. The pressure monitoring device shall have an accuracy of ±5 mm of water gauge over its normal operating range and shall be calibrated according to the manufacturer's instructions.

(g) Except as provided for under §60.273(d), when the owner or operator of an EAF is required to demonstrate compliance with the standard under §60.272(a)(3) and at any other time the Administrator may require (under section 114 of the Act, as amended), the pressure in the free space inside the furnace shall be determined during the meltingdown and refining period(s) using the monitoring device under paragraph (f) of this section. The owner or operator may petition the Administrator or delegated authority for reestablishment of the 15-minute integrated average pressure whenever the owner or operator can demonstrate to the Administrator's or delegated authority's satisfaction that the EAF operating conditions upon which the pressures were previously established are no longer applicable. The pressure ~~range or control setting~~determined during the most recent demonstration of compliance shall be maintained at all times the EAF is operating in a meltingdown and refining period. Continuous operation at ~~higher~~ pressures higher than the operational range or control setting may be considered by the Administrator or delegated authority to be unacceptable operation and maintenance of the affected facility.

(h) Where the capture system is designed and operated such that all emissions are captured and ducted to a control device, the owner or operator shall not be subject to the requirements of this section.

(i) During any performance test required under §60.8, and for any report thereof required by §60.276(c) of this subpart or to determine compliance with §60.272(a)(3) of this subpart, the owner or operator shall monitor the following information for all heats covered by the test:

(1) Charge weights and materials, and tap weights and materials;

(2) Heat times, including start and stop times, and a log of process operation, including periods of no operation during testing and, if a furnace static pressure monitoring device is operated pursuant to paragraph (f) of this section, the pressure inside the furnace ~~when where direct shell evacuation~~DEC systems are used;

(3) Control device operation log; ~~and~~

(4) Continuous opacity monitor or EPA Method 9 data, or, as an alternative to EPA Method 9, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271-;

(5) All damper positions, no less frequently than performed in the latest melt shop opacity compliance test for a full heat, if selected as a method to demonstrate compliance under paragraph (b) of this section;

(6) Fan motor amperes at each damper position, if selected as a method to demonstrate compliance under paragraph (b) of this section;

(7) Volumetric air flow rate through each separately ducted hood, if selected as a method to demonstrate compliance under paragraph (b) of this section; and

(8) Static pressure at each separately ducted hood, if selected as a method to demonstrate compliance under paragraph (b) of this section.

(9) Parameters monitored pursuant to paragraphs (i)(6)-(8) of this section shall be recorded on a rolling averaging period not to exceed 15 minutes.

#### **§60.275 Test methods and procedures.**

(a) During performance tests required in §60.8, the owner or operator shall not add gaseous diluent to the effluent gas after the fabric filter in any pressurized fabric collector, unless the amount of dilution is separately determined and considered in the determination of emissions.

(b) When emissions from any EAF(s) are combined with emissions from facilities not subject to the provisions of this subpart but controlled by a common capture system and control device, the owner or operator shall use either or both of the following procedures during a performance test (see also §60.276(b)):

(1) Determine compliance using the combined emissions.

(2) Use a method that is acceptable to the Administrator or delegated authority and that compensates for the emissions from the facilities not subject to the provisions of this subpart.

(3) Any combination of the criteria of paragraphs (b)(1) and (b)(2) of this section.

(c) When emissions from any EAF(s) are combined with emissions from facilities not subject to the provisions of this subpart, ~~the owner or operator shall use either or both of the following procedures to demonstrate~~compliance with §60.272(a)(3) will be based on emissions from only the affected facility(ies). The owner or operator may use operational knowledge to determine the facilities that are the sources, in whole or in part, of any emissions observed in demonstrations of compliance with §60.272(a)(3).÷

~~(1) Determine compliance using the combined emissions.~~

~~(2) Shut down operation of facilities not subject to the provisions of this subpart during the performance test.~~

(d) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(e) The owner or operator shall determine compliance with the particulate matter standards in §60.272 as follows:

(1) EPA Method 5 (and referenced EPA Methods 1, 2, 3, 3A, 3B, and 4) shall be used for negative-pressure fabric filters and other types of control devices and EPA Method 5D (and referenced EPA Method 5) shall be used for positive-pressure fabric filters to determine the particulate matter concentration and, if applicable, the volumetric flow rate of the effluent gas. The sampling time and sample volume for each run shall be at least 4 hours and 4.5 dscm (160 dscf) and, when a single EAF is sampled, the sampling time shall include an integral number of heats. The manual portions only and not the instrumental portion of the voluntary consensus standard ANSI/ ASME PTC 19-10-1981 (incorporated by reference, see § 60.17) is an acceptable alternative to EPA Methods 3, 3A, and 3B.

(2) When more than one control device serves the EAF(s) being tested, the concentration of particulate matter shall be determined using the following equation:

$$c_{st} = \left[ \sum_{i=1}^n (c_{si} Q_{sdi}) \right] / \sum_{i=1}^n Q_{sdi}$$

where:

$c_{st}$  = average concentration of particulate matter, mg/dscm (gr/dscf).

$c_{si}$  = concentration of particulate matter from control device “i”, mg/dscm (gr/dscf).

$n$  = total number of control devices tested.

$Q_{sdi}$  = volumetric flow rate of stack gas from control device “i”, dscm/hr (dscf/hr).

(3) EPA Method 9 or, as an alternative, ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271, and the procedures of §60.11 shall be used to determine opacity.

(4) To demonstrate compliance with §60.272(a)-(1), (2), and (3), the EPA Method 9 test runs shall be conducted concurrently with the particulate matter test runs, unless inclement weather interferes.

(f) To comply with §60.274 (c), (f), (g), and (i), the owner or operator shall obtain the information in these paragraphs during the particulate matter runs.

~~(g) Where emissions from any EAF(s) are combined with emissions from facilities not subject to the provisions of this subpart but controlled by a common capture system and control device, the owner or operator may use any of the following procedures during a performance test:~~

~~(1) Base compliance on control of the combined emissions.~~

~~(2) Utilize a method acceptable to the Administrator which compensates for the emissions from the facilities not subject to the provisions of this subpart.~~

~~(3) Any combination of the criteria of paragraphs (g)(1) and (g)(2) of this section.~~

(gh) Where emissions from any EAF(s) are combined with emissions from facilities not subject to the provisions of this subpart, the owner or operator may use any of the following procedures for demonstrating compliance with §60.272(a)(3), except if the combined emissions are controlled by a common capture system and control device, in which case the owner or operator may use any of the following procedures during an opacity performance test and during shop opacity observations:

(1) Base compliance on control of the combined emissions.

(2) Shut down operation of facilities not subject to the provisions of this subpart.

(3) Any combination of the criteria of paragraphs (gh)(1) and (gh)(2) of this section.

(ht) If visible emissions observations are made in lieu of using a continuous opacity monitoring system, as allowed for by §60.273(c), visible emission observations shall be conducted at least once per day for at least three 6-minute periods when the furnace is operating in the melting and refining period. All visible emissions observations shall be conducted in accordance with EPA Method 9. If visible emissions occur from more than one point, the opacity shall be recorded for any points where visible emissions are observed. Where it is possible to determine that a number of visible emission sites relate to only one incident of the visible emission, only one set of three 6-minute observations will be required. In that case, the EPA Method 9 observations must be made for the site of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident. Records shall be maintained of any 6-minute average that is in excess of the emission limit specified in §60.272(a).

(ij) Unless the presence of inclement weather makes concurrent testing infeasible, the owner or operator shall conduct concurrently the performance tests required under §60.8 to demonstrate compliance with §60.272(a) (1), (2), and (3) of this subpart.

### **§60.276 Recordkeeping and reporting requirements.**

(a) Continuous operation at a furnace static pressure that exceeds the ~~value established operational range or control setting~~ under §60.274(g), for owners and operators that elect to install a furnace static pressure monitoring device under §60.274(f) and either operation of control system fan motor amperes at values exceeding ±15 percent of the value established under §60.274(e) or operation at flow rates lower than those established under §60.274(c) may be considered by the Administrator or delegated authority to be unacceptable operation and maintenance of the affected facility. Operation at such values shall be reported to the Administrator or delegated authority semiannually.

(b) When the owner or operator of an EAF is required to demonstrate compliance with the standard under §60.275-(b)(2) or a combination of (b)(1) and (b)(2), the owner or operator shall ~~obtain approval from~~ provide notice to the Administrator or delegated authority of the procedure(s) that will be used to determine compliance. Notification of the procedure(s) to be used must be postmarked at least 30 days prior to the performance test.

(c) For the purpose of this subpart, the owner or operator shall conduct the demonstration of compliance with §60.272(a) of this subpart and furnish the Administrator or delegated authority with a written report of the results of the test. This report shall include the following information:

- (1) Facility name and address;
- (2) Plant representative;
- (3) Make and model of ~~the process~~, control device, and continuous opacity monitoring equipment, if applicable;
- (4) Flow diagram of process and emission capture ~~system equipment~~ including other equipment or process(es) ducted to the same control device;
- (5) Rated (design) capacity of process equipment;
- (6) Those data required under §60.274(i) of this subpart;
  - (i) List of charge and tap weights and materials;
  - (ii) Heat times and process log;
  - (iii) Control device operation log; and
  - (iv) Continuous opacity monitor or EPA Method 9 data, or, as an alternative to EPA Method 9, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271.
- (7) Test dates and test times;
- (8) Test company;
- (9) Test company representative;
- (10) Test observers from any outside agency;
- (11) Description of test methodology used, including any deviation from standard reference methods
- (12) Schematic of sampling location;
- (13) Number of sampling points;
- (14) Description of sampling equipment;
- (15) Listing of sampling equipment calibrations and procedures;
- (16) Field and laboratory data sheets;
- (17) Description of sample recovery procedures;
- (18) Sampling equipment leak check results;
- (19) Description of quality assurance procedures;
- (20) Description of analytical procedures;

(21) Notation of sample blank corrections; and

(22) Sample emission calculations.

(d) The owner or operator shall maintain records of all shop opacity observations made in accordance with §60.273(d). All shop opacity observations in excess of the emission limit specified in §60.272(a)(3) of this subpart shall indicate a period of excess emissions, and shall be reported to the Administrator or delegated authority semi-annually, according to §60.7(c) and submitted according to paragraph (h) of this section. In addition to the information required at §60.7(c), the report shall include the following information:

(1) The company name and address of the affected facility.

(2) An identification of each affected facility being included in the report.

(3) Beginning and ending dates of the reporting period.

(4) A certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(e) The owner or operator shall maintain the following records for each bag leak detection system required under §60.273(e):

(1) Records of the bag leak detection system output;

(2) Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection system settings; and

(3) An identification of the date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, if procedures were initiated within 1 hour of the alarm, the cause of the alarm, an explanation of the actions taken, the date and time the cause of the alarm was alleviated, and if the alarm was alleviated within 24~~3~~ hours of the alarm.

(f) Records of the measurements required in §60.274 must be retained for at least 5 years following the date of the measurement.

(g) Within 60 days after the date of completing each performance test or demonstration of compliance required by this subpart, you must submit the results of the performance test following the procedures specified in paragraphs (g)(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 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 using 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 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 (g)(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 using the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. The preferred method to submit CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (e.g., Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov), and should include clear CBI markings and note the docket ID. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov) to request a file transfer link. If sending CBI information through the postal service, 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 paragraphs (g)(1) and (2) 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.

(h) You must submit a report of excess emissions and monitoring systems performance report according to §60.7(c) to the Administrator semiannually. Submit all reports to the EPA via CEDRI, which can be accessed through the EPA's CDX (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Anything submitted using CEDRI cannot later be claimed CBI. You must use the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for this subpart. The date report templates become available will be listed on the CEDRI website. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim, follow paragraph (g)(3) of this section except send to the attention of the Electric Arc Furnace Sector Lead. The same file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph (h). 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.

(i) 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 that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (i)(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) A description of 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.

(j) 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 that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (j)(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) A description of 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.

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

## Title 40: Protection of Environment

### Part 60 Standards of Performance for New Stationary Sources

#### Subpart AAa – Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarbonization Vessels Constructed After August 17, 1983 and On or Before May 16, 2022~~[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]~~

##### §60.270a Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the following affected facilities in steel plants that produce carbon, alloy, or specialty steels: electric arc furnaces, argon-oxygen decarburization vessels, and dust-handling systems.

(b) The provisions of this subpart apply to each affected facility identified in paragraph (a) of this section that commences construction, modification, or reconstruction after August 17, 1983 and on or before May 16, 2022~~[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]~~, where a modification is any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which this standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which this standard applies) into the atmosphere not previously emitted. See §60.14.

##### §60.271a Definitions.

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

*Argon-oxygen decarburization vessel* (AOD vessel) means any closed-bottom, refractory-lined converter vessel with submerged tuyeres through which gaseous mixtures containing argon and oxygen or nitrogen may be blown into molten steel for further refining.

*Bag leak detection system* means a system that is capable of continuously monitoring relative particulate matter (dust) loadings in the exhaust of a baghouse to detect bag leaks and other conditions that result in increases in particulate loadings. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, electrodynamic, light scattering, light transmittance, or other effect to continuously monitor relative particulate matter loadings.

*Capture system* means the equipment (including ducts, hoods, fans, dampers, etc.) used to capture ~~or transport~~ particulate matter generated by the operation of an electric arc furnace or AOD vessel and transport captured particulate matter to the air pollution control device.

*Charge* means the addition of iron and steel scrap or other materials into the ~~top shell~~ of an electric arc furnace or the addition of molten steel or other materials into the top of an AOD vessel.

*Charging period* means the time period when iron and steel scrap or other materials are added into the top of an electric arc furnace until the melting and refining period commences.

*Control device* means the air pollution control equipment used to remove particulate matter from the effluent gas stream generated by an electric arc furnace or AOD vessel.

Damper means any device used to open, close or throttle a DEC system or hood designed to capture emissions from an EAF or AOD vessel and route them to the associated control device(s). It does not include isolation dampers used to isolate a fan or baghouse compartment for repair or cleaning, or dampers controlling collection of emissions from equipment other than an EAF or AOD vessel.

Direct-shell evacuation control system (DEC system) means a system that creates and maintains a negative pressure within the electric arc furnace above the slag or metal and dust shell during melting and refining, and transports emissions to the control device.

Dust-handling system means equipment used to handle particulate matter collected by the control device for an electric arc furnace or AOD vessel subject to this subpart. For the purposes of this subpart, the dust-handling system shall consist of the control device dust hoppers, the dust-conveying equipment, any central silo, dust storage equipment, the dust-treating equipment (e.g., pug mill, pelletizer), dust transfer equipment (including, but not limited to transfers from a silo storage to a truck or rail car), and any secondary control devices used with the dust transfer equipment.

Electric arc furnace (EAF) means a furnace that produces molten steel and heats the charge materials with electricity using arcs from carbon electrodes. For the purposes of this subpart, an EAF shall consist of the furnace shell and roof and the transformer. Furnaces that continuously feed direct-reduced iron ore pellets as the primary source of iron are not affected facilities within the scope of this definition.

Heat cycle means the period beginning when scrap is charged to an empty EAF shell and ending when the EAF tap is completed or beginning when molten steel is charged to an empty AOD vessel and ending when the AOD vessel tap is completed.

Melting down and refining period means the time period commencing at the termination of the initial charging-energizing of the electrode to begin the melting process period and ending at the initiation of the tapping period, excluding any intermediate charging periods and times when the electrodes are not energized as part of the melting process power to the EAF is off.

Melting means that phase of steel production cycle during which the iron and steel scrap is heated to the molten state.

Negative-pressure fabric filter means a fabric filter with the fans on the downstream side of the filter bags.

Positive-pressure fabric filter means a fabric filter with the fans on the upstream side of the filter bags.

Refining means that phase of the steel production cycle during which undesirable elements-impurities are removed from the molten steel and alloys are added to reach the final metal chemistry.

Shop means the building which that houses one or more EAF's or AOD vessels and serves as the point from which compliance with §60.272a(a)(3), "Standard for Particulate Matter," is measured.

Shop opacity means the arithmetic average of 24 observations of the opacity of any EAF or AOD emissions emanating from, and not within, the shop, taken in accordance with EPA Method 9 of appendix A of this part. Alternatively, ASTM D7520-16 (incorporated by reference, see §60.17), may be used with the following five conditions: (1) During the digital camera opacity technique (DCOT) certification procedure outlined in Section 9.2 of ASTM D7520-16 (incorporated by reference, see §60.17), the owner or operator or the DCOT vendor must present the plumes in front of various backgrounds of color and contrast representing

conditions anticipated during field use such as blue sky, trees, and mixed backgrounds (clouds and/or a sparse tree stand);

(2) The owner or operator must also have standard operating procedures in place including daily or other frequency quality checks to ensure the equipment is within manufacturing specifications as outlined in Section 8.1 of ASTM D7520-16 (incorporated by reference, see §60.17);

(3) The owner or operator must follow the recordkeeping procedures outlined in §60.7(f) for the DCOT certification, compliance report, data sheets, and all raw unaltered JPEGs used for opacity and certification determination;

(4) The owner or operator or the DCOT vendor must have a minimum of four independent technology users apply the software to determine the visible opacity of the 300 certification plumes. For each set of 25 plumes, the user may not exceed 15 percent opacity of anyone reading and the average error must not exceed 7.5 percent opacity;

(5) Use of this approved alternative does not provide or imply a certification or validation of any vendor's hardware or software. The onus to maintain and verify the certification and/or training of the DCOT camera, software, and operator in accordance with ASTM D7520-16 (incorporated by reference, see §60.17) and these requirements is on the facility, DCOT operator, and DCOT vendor.

*Tap* means the pouring of molten steel from an EAF or AOD vessel.

*Tapping period* means the time period commencing at the moment an EAF begins to pour molten steel and ending either three minutes after steel ceases to flow from an EAF, or six minutes after steel begins to flow, whichever is longer.

#### **§60.272a Standard for particulate matter.**

(a) On and after the date of which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from an EAF or an AOD vessel any gases which:

(1) Exit from a control device and contain particulate matter in excess of 12 mg/dscm (0.0052 gr/dscf);

(2) Exit from a control device and exhibit 3 percent opacity or greater, as measured in accordance with EPA Method 9 of appendix A of this part, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under *Shop opacity* in §60.271; and

(3) Exit from a shop and, due solely to the operations of any affected EAF(s) or AOD vessel(s), exhibit 6 percent opacity or greater, as measured in accordance with EPA Method 9 of appendix A of this part, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under *Shop opacity* in §60.271. *Shop opacity shall be recorded for any point(s) where visible emissions are observed. Where it is possible to determine that a number of visible emission sites relate to only one incident of visible emissions, only one observation of shop opacity will be required. In this case, the shop opacity observations must be made for the site of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident.*

(b) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from the dust-handling system any gases that exhibit 10 percent opacity or greater, as measured in accordance

with EPA Method 9 of appendix A of this part, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under *Shop opacity* in §60.271.

### **§60.273a Emission monitoring.**

(a) Except as provided under paragraphs (b) and (c) of this section, a continuous monitoring system for the measurement of the opacity of emissions discharged into the atmosphere from the control device(s) shall be installed, calibrated, maintained, and operated by the owner or operator subject to the provisions of this subpart.

(b) No continuous monitoring system shall be required on any control device serving the dust-handling system.

(c) A continuous monitoring system for the measurement of the opacity of emissions discharged into the atmosphere from the control device(s) is not required on any modular, multi-stack, negative-pressure or positive-pressure fabric filter or on any single-stack fabric filter if observations of the opacity of the visible emissions from the control device are performed by a certified visible emission observer; ~~or on any single-stack fabric filter if visible emissions from the control device are performed by a certified visible emission observer~~ and the owner installs and ~~continuously~~ operates a bag leak detection system according to paragraph (e) of this section whenever the control device is being used to remove particulate matter from the EAF or AOD. Visible emission observations shall be conducted at least once per day of the control device for at least three 6-minute periods when the furnace is operating in the melting and refining period. All visible emissions observations shall be conducted in accordance with EPA Method 9, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under *Shop opacity* in §60.271. If visible emissions occur from more than one point, the opacity shall be recorded for any points where visible emissions are observed. Where it is possible to determine that a number of visible emission sitespoints relate to only one incident of the visible emission, only one set of three 6-minute observations will be required. In that case, the EPA Method 9 observations must be made for the sitepoint of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident. Records shall be maintained of any 6-minute average that is in excess of the emission limit specified in §60.272a(a)(2).

(d) A furnace static pressure monitoring device is not required on any EAF equipped with a DEC system if observations of shop opacity are performed by a certified visible emission observer as follows:

(1) At least once per day when the furnace is operating.

(2) No less than once per week, commencing from the tap of one EAF heat cycle to the tap of the following heat cycle. A melt shop with more than one EAF shall conduct these readings while both EAFs are in operation. Both EAFs are not required to be on the same schedule for tapping.

~~Shop opacity observations shall be conducted at least once per day when the furnace is operating in the meltdown and refining period.~~

(3) Shop opacity shall be determined as the arithmetic average of 24 consecutive 15-second opacity observations of emissions from the shop taken in accordance with EPA Method 9, or, as an alternative, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under *Shop opacity* in §60.271. Shop opacity shall be recorded for any point(s) where visible emissions are observed. Where it is possible to determine that a number of visible emission sitespoints relate to only one incident of visible emissions, only one observation of shop opacity will be required. In this case, the shop opacity observations must be made for the sitepoint of highest opacity that directly relates to the cause (or location) of visible emissions observed during a single incident.

(e) A bag leak detection system must be installed ~~and continuously operated~~ on all single-stack fabric filters and operated whenever the control device is being used to remove particulate matter from the EAF or AOD vessel if the owner or operator elects not to install and operate a continuous opacity monitoring system as provided for under paragraph (c) of this section. In addition, the owner or operator shall meet the visible emissions observation requirements in paragraph (c) of this section. The bag leak detection system must meet the specifications and requirements of paragraphs (e)(1) through (8) of this section.

(1) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 1 milligram per actual cubic meter (0.00044 grains per actual cubic foot) or less.

(2) The bag leak detection system sensor must provide output of relative particulate matter loadings and the owner or operator shall continuously record the output from the bag leak detection system using electronic or other means (*e.g.*, using a strip chart recorder or a data logger.)

(3) The bag leak detection system must be equipped with an alarm system that will ~~sound~~activate when an increase in relative particulate loading is detected over the alarm set point established according to paragraph (e)(4) of this section, and the alarm must be located such that it can be ~~heard~~identified by the appropriate plant personnel.

(4) For each bag leak detection system required by paragraph (e) of this section, the owner or operator shall develop and submit to the Administrator or delegated authority, for approval, a site-specific monitoring plan that addresses the items identified in paragraphs (i) through (v) of this paragraph (e)(4). For each bag leak detection system that operates based on the triboelectric effect, the monitoring plan shall be consistent with the recommendations contained in the U.S. Environmental Protection Agency guidance document “Fabric Filter Bag Leak Detection Guidance” (EPA-454/R-98-015). The owner or operator shall operate and maintain the bag leak detection system according to the site-specific monitoring plan at all times. The plan shall describe the following:

(i) Installation of the bag leak detection system;

(ii) Initial and periodic adjustment of the bag leak detection system including how the alarm set-point will be established;

(iii) Operation of the bag leak detection system including quality assurance procedures;

(iv) How the bag leak detection system will be maintained including a routine maintenance schedule and spare parts inventory list; and

(v) How the bag leak detection system output shall be recorded and stored.

(5) The initial adjustment of the system shall, at a minimum, consist of establishing the baseline output by adjusting the sensitivity (range) and the averaging period of the device, and establishing the alarm set points and the alarm delay time (if applicable).

(6) Following initial adjustment, the owner or operator shall not adjust the averaging period, alarm set point, or alarm delay time without approval from the Administrator or delegated authority except as provided for in paragraphs (e)(6)(i) and (ii) of this section.

(i) Once per quarter, the owner or operator may adjust the sensitivity of the bag leak detection system to account for seasonal effects including temperature and humidity according to the procedures identified in the site-specific monitoring plan required under paragraphs (e)(4) of this section.

(ii) If opacities greater than zero percent are observed over four consecutive 15-second observations during the daily opacity observations required under paragraph (c) of this section and the alarm on the bag leak detection system ~~does not sound~~alarm is not activated, the owner or operator shall lower the alarm set point on the bag leak detection system to a point where the alarm would have ~~been activated~~sounded during the period when the opacity observations were made.

(7) For negative pressure, induced air baghouses, and positive pressure baghouses that are discharged to the atmosphere through a stack, the bag leak detection sensor must be installed downstream of the baghouse ~~and~~ upstream of any wet scrubber.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(f) For each bag leak detection system installed according to paragraph (e) of this section, the owner or operator shall initiate procedures to determine the cause of all alarms within 1 hour of an alarm. ~~Except as provided for under paragraph (g) of this section, the~~The cause of the alarm must be alleviated within ~~243~~ hours of the time the alarm occurred by taking whatever ~~corrective~~response action(s) are necessary. ~~Corrective~~Response actions may include, but are not limited to, the following:

(1) Inspecting the baghouse for air leaks, torn or broken bags or filter media, or any other condition that may ~~have~~caused an increase in particulate emissions;

(2) Sealing off defective bags or filter media;

(3) Replacing defective bags or filter media or otherwise repairing the control device;

(4) Sealing off a defective baghouse compartment;

(5) Cleaning the bag leak detection system probe or otherwise repairing the bag leak detection system; ~~and~~

~~(6) Establishing to the extent acceptable by the delegated authority that the alarm was a false alarm and not caused by a bag leak or other malfunction that could reasonably result in excess particulate emissions; and~~

~~(7)~~ Shutting down the process producing the particulate emissions.

(g) In approving the site-specific monitoring plan required in paragraph (e)(4) of this section, the Administrator or delegated authority may allow owners or operators more than ~~243~~ hours to alleviate specific conditions that cause an alarm if the owner or operator identifies the condition that could lead to an alarm in the monitoring plan, adequately explains why it is not feasible to alleviate the condition within ~~243~~ hours of the time the alarm occurred, and demonstrates that the requested additional time will ensure alleviation of the condition as expeditiously as practicable.

#### **§60.274a Monitoring of operations.**

(a) The owner or operator subject to the provisions of this subpart shall maintain records of the following information:

(1) All data obtained under paragraph (b) of this section; and

(2) All monthly operational status inspections performed under paragraph (c) of this section.

(b) Except as provided under paragraph (e) of this section, the owner or operator subject to the provisions of this subpart shall:

(1) Monitor and record on a continuous basis the rolling 15-minute average furnace static pressure (if a DEC system is in use, and a furnace static pressure gauge is installed according to paragraph (f) of this section) and either:

~~check and record on a once-per-shift basis the furnace static pressure (if DEC system is in use, and a furnace static pressure gauge is installed according to paragraph (f) of this section); and either:~~

(i) Install, calibrate, and maintain a monitoring device that continuously check and records the control/capture system fan motor amperes and damper position(s) on a once-per-shift basis; and

(ii) Install, calibrate, and maintain a monitoring device that continuously records on a rolling 15-minute average basis either the volumetric flow rate through each separately ducted hood; or

(iii) Install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate at the control device inlet and check and continuously record damper positions(s) on a once-per-shift basis rolling 15-minute average static pressure at.

(2) The volumetric flow monitoring device(s) may be installed in any appropriate location in the exhaust duct/capture system such that reproducible flow rate monitoring will result. The flow rate monitoring device(s) shall have an accuracy of  $\pm 10$  percent over its normal operating range and shall be calibrated according to the manufacturer's instructions. The Administrator may require the owner or operator to demonstrate the accuracy of the monitoring device(s) relative to EPA Methods 1 and 2 of appendix A of this part.

(3) Parameters monitored pursuant to this paragraph, excluding damper position, shall be recorded on a rolling averaging period not to exceed 15 minutes.

(c) When the owner or operator of an affected facility is required to demonstrate compliance with the standards under §60.272a(a)(3) and at any other time that the Administrator may require (under section 114 of the CAA, as amended), the owner or operator shall determine during periods in which a hood is operated for the purpose of capturing emissions from the affected facility subject to paragraph (b) of this section, all damper positions and either the: the control system fan motor amperes and A

(1) Monitor and record the fan motor amperes at each damper position, and damper position consistent with paragraph(h)(5) of this section;

(2) install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate through each separately ducted hood; or



(3) install, calibrate, and maintain a monitoring device that continuously records the volumetric flow rate at the control device inlet and monitor and record the damper position consistent with paragraph (h)(5) of this section; and

~~all damper positions, the volumetric flow rate through each separately ducted hood, or~~

~~the volumetric flow rate at the control device inlet and all damper positions shall be determined during all periods in which a hood is operated for the purpose of capturing emissions from the affected facility subject to paragraph (b) of this section.~~

(4) Parameters monitored pursuant to this paragraph, excluding damper position, shall be recorded on a rolling averaging period not to exceed 15 minutes; and-

(5) The owner or operator may petition the Administrator ~~or delegated authority~~ for reestablishment of these parameters whenever the owner or operator can demonstrate to the Administrator's ~~or delegated authority's~~ satisfaction that the affected facility operating conditions upon which the parameters were previously established are no longer applicable. The values of ~~thesethe~~ parameters as determined during the most recent demonstration of compliance shall be ~~maintained at~~ the appropriate ~~level for~~ operational range or control set point throughout each applicable period. Operation at ~~other than baseline~~ values beyond the accepted operational range or control set point may be subject to the requirements of §60.276a(c).

(d) Except as provided under paragraph (e) of this section, the owner or operator shall perform monthly operational status inspections of the equipment that is important to the performance of the ~~total~~ capture system (*i.e.*, pressure sensors, dampers, and damper switches). This inspection shall include observations of the physical appearance of the equipment (e.g., presence of holes in ductwork or hoods, flow constrictions caused by dents or ~~accumulated excess accumulations of~~ dust in ductwork, and fan erosion) and building inspections to ensure that the building does not have any holes or other openings for particulate matter laden air to escape. Any deficiencies that are determined by the operator to materially impact the efficacy of the capture system shall be noted and proper maintenance performed.

(e) The owner or operator may petition the Administrator or delegated authority to approve any alternative to either the monitoring requirements specified in paragraph (b) of this section or the monthly operational status inspections specified in paragraph (d) of this section if the alternative will provide a continuous record of operation of each emission capture system.

(f) Except as provided for under §60.273a(d), if emissions during any phase of the heat ~~cycle~~time are controlled by the use of a DEC system, the owner or operator shall install, calibrate, and maintain a monitoring device that allows the pressure in the free space inside the EAF to be monitored. The pressure shall be recorded as no greater than 15-minute integrated block averages. The monitoring device may be installed in any appropriate location in the EAF or DEC duct prior to the introduction of ambient air such that reproducible results will be obtained. The pressure monitoring device shall have an accuracy of  $\pm 5$  mm of water gauge over its normal operating range and shall be calibrated according to the manufacturer's instructions.

(g) Except as provided for under §60.273a(d), when the owner or operator of an EAF controlled by a DEC is required to demonstrate compliance with the standard under §60.272a(a)(3), and at any other time the Administrator may require (under section 114 of the Clean Air Act, as amended), the pressure in the free space inside the furnace shall be determined during the ~~melting~~down and refining period(s) using the monitoring device required under paragraph (f) of this section. The owner or operator may petition the Administrator or delegated authority for reestablishment of the pressure whenever the owner or operator can demonstrate to the Administrator's or delegated authority's satisfaction that the EAF operating conditions upon which the pressures were previously established are no longer applicable. The pressure range or control setting~~determined~~ during

the most recent demonstration of compliance shall be maintained at all times when the EAF is operating in a melting and refining period. Continuous operation at higher pressures higher than the operational range or control setting may be considered by the Administrator or delegated authority to be unacceptable operation and maintenance of the affected facility.

(h) During any performance test required under §60.8, and for any report thereof required by §60.276a(f) of this subpart, or to determine compliance with §60.272a(a)(3) of this subpart, the owner or operator shall monitor the following information for all heats covered by the test:

(1) Charge weights and materials, and tap weights and materials;

(2) Heat times, including start and stop times, and a log of process operation, including periods of no operation during testing and, if a furnace static pressure monitoring device is operated pursuant to paragraph (f) of this section, the pressure inside an EAF when ~~direct shell evacuation control~~ DEC systems are used;

(3) Control device operation log; ~~and~~

(4) Continuous opacity monitor or EPA Method 9 data, or, as an alternative to EPA Method 9, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271;

(5) All damper positions, no less frequently than performed in the latest melt shop opacity compliance test for a full heat, if selected as a method to demonstrate compliance under paragraph(b) of this section;

(6) Fan motor amperes at each damper position, if selected as a method to demonstrate compliance under paragraph (b) of this section;

(7) Volumetric air flow rate through each separately ducted hood, if selected as a method to demonstrate compliance under paragraph (b) of this section; and

(8) Static pressure at each separately ducted hood, if selected as a method to demonstrate compliance under paragraph (b) of this section.

(9) Parameters monitored pursuant to paragraphs (h)(6) through (8) of this section shall be recorded on a rolling averaging period not to exceed 15 minutes.

#### **§60.275a Test methods and procedures.**

(a) During performance tests required in §60.8, the owner or operator shall not add gaseous diluents to the effluent gas stream after the fabric filter in any pressurized fabric filter collector, unless the amount of dilution is separately determined and considered in the determination of emissions.

(b) When emissions from any EAF(s) or AOD vessel(s) are combined with emissions from facilities not subject to the provisions of this subpart but controlled by a common capture system and control device, the owner or operator shall use either or both of the following procedures during a performance test (see also §60.276a(e)):

(1) Determine compliance using the combined emissions.

(2) Use a method that is acceptable to the Administrator or delegated authority and that compensates for the emissions from the facilities not subject to the provisions of this subpart.

(3) Any combination of the criteria of paragraphs (b)(1) and (b)(2) of this section.

(c) When emission from any EAF(s) or AOD vessel(s) are combined with emissions from facilities not subject to the provisions of this subpart, ~~the owner or operator shall demonstrate~~ compliance with §60.272a(a)(3) will be based on emissions from only the affected facility(ies). The owner or operator may use operational knowledge to determine the facilities that are the sources, in whole or in part, of any emissions observed in demonstrations of compliance with §60.272a(a)(3).

(d) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(e) The owner or operator shall determine compliance with the particulate matter standards in §60.272a as follows:

(1) EPA Method 5 (and referenced EPA Methods 1, 2, 3, 3A, 3B, and 4) shall be used for negative-pressure fabric filters and other types of control devices and EPA Method 5D (and referenced EPA Method 5) shall be used for positive-pressure fabric filters to determine the particulate matter concentration and volumetric flow rate of the effluent gas. The sampling time and sample volume for each run shall be at least 4 hours and 4.50 dscm (160 dscf) and, when a single EAF or AOD vessel is sampled, the sampling time shall include an integral number of heats. The manual portions only and not the instrumental portion of the voluntary consensus standard ANSI/ ASME PTC 19-10-1981 (incorporated by reference, see §60.17) is an acceptable alternative to EPA Methods 3, 3A, and 3B.

(2) When more than one control device serves the EAF(s) being tested, the concentration of particulate matter shall be determined using the following equation:

$$c_{st} = \frac{\sum_{i=1}^n (c_{si} Q_{sdi})}{\sum_{i=1}^n Q_{sdi}}$$

where:

$c_{st}$  = average concentration of particulate matter, mg/dscm (gr/dscf).

$c_{si}$  = concentration of particulate matter from control device “i”, mg/dscm (gr/dscf).

$n$  = total number of control devices tested.

$Q_{sdi}$  = volumetric flow rate of stack gas from control device “i”, dscm/hr (dscf/hr).

(3) EPA Method 9 or, as an alternative, ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271, and the procedures of §60.11 shall be used to determine opacity.

(4) To demonstrate compliance with §60.272a(a) (1), (2), and (3), the EPA Method 9 test runs shall be conducted concurrently with the particulate matter test runs, unless inclement weather interferes.

(f) To comply with §60.274a (c), (f), (g), and (h), the owner or operator shall obtain the information required in these paragraphs during the particulate matter runs.

(g) Any control device subject to the provisions of the subpart shall be designed and constructed to allow measurement of emissions using applicable test methods and procedures.

~~(h) Where emissions from any EAF(s) or AOD vessel(s) are combined with emissions from facilities not subject to the provisions of this subpart but controlled by a common capture system and control device, the owner or operator may use any of the following procedures during a performance test:~~

~~(1) Base compliance on control of the combined emissions;~~

~~(2) Utilize a method acceptable to the Administrator that compensates for the emissions from the facilities not subject to the provisions of this subpart, or;~~

~~(3) Any combination of the criteria of paragraphs (h)(1) and (h)(2) of this section.~~

(h) Where emissions from any EAF(s) or AOD vessel(s) are combined with emissions from facilities not subject to the provisions of this subpart, determinations of compliance with §60.272a(a)(3) will only be based upon emissions originating from the affected facility(ies), except if the combined emissions are controlled by a common capture system and control device, in which case the owner or operator may use any of the following procedures during an opacity performance test and during shop opacity observations:

(1) Base compliance on control of the combined emissions; or

(2) Utilize a method acceptable to the Administrator that compensates for the emissions from the facilities not subject to the provisions of this subpart.

(i) Unless the presence of inclement weather makes concurrent testing infeasible, the owner or operator shall conduct concurrently the performance tests required under §60.8 to demonstrate compliance with §60.272a(a) (1), (2), and (3) of this subpart.

### **§60.276a Recordkeeping and reporting requirements.**

(a) Records of the measurements required in §60.274a must be retained for at least 25 years following the date of the measurement.

(b) Each owner or operator shall submit a written report of exceedances of the control device opacity to the Administrator or delegated authority semi-annually. For the purposes of these reports, exceedances are defined as all 6-minute periods during which the average opacity of emissions from the control device is 3 percent or greater.

(c) Continuous oOperation at a furnace static pressure that exceeds the value established operational range or control setting under §60.274a(g), for owners and operators that elect to install a furnace static pressure monitoring device under §60.274a(f) and either operation of control system fan motor amperes at values exceeding ±15 percent of the value established under §60.274a(c) or operation at flow rates lower than those established under §60.274a(c) may be considered by the Administrator or delegated authority to be unacceptable operation and maintenance of the affected facility. Operation at such values shall be reported to the Administrator or delegated authority semiannually.

(d) The requirements of this section remain in force until and unless EPA, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with this section, provided that they comply with the requirements established by the State.

(e) When the owner or operator of an EAF or AOD is required to demonstrate compliance with the standard under §60.275a(b)(2) or a combination of (b)(1) and (b)(2) the owner or operator shall ~~obtain approval from provide notice to~~ the Administrator or delegated authority of the procedure(s) that will be used to determine compliance. Notification of the procedure(s) to be used must be postmarked at least 30 days prior to the performance test.

(f) For the purpose of this subpart, the owner or operator shall conduct the demonstration of compliance with §60.272a(a) of this subpart and furnish the Administrator or delegated authority with a written report of the results of the test. This report shall include the following information:

(1) Facility name and address;

(2) Plant representative;

(3) Make and model of ~~the process~~, control device, and continuous opacity monitoring equipment, if applicable;

(4) Flow diagram of process and emission capture ~~systeme~~equipment including other equipment or process(es) ducted to the same control device;

(5) Rated (design) capacity of process equipment;

(6) Those data required under §60.274a(h) of this subpart;

(i) List of charge and tap weights and materials;

(ii) Heat times and process log;

(iii) Control device operation log; and

(iv) Continuous opacity monitor or EPA Method 9 data, or, as an alternative to EPA Method 9, according to ASTM D7520-16 (incorporated by reference, see §60.17), with the caveats described under Shop opacity in §60.271.

(7) Test dates and test times;

(8) Test company;

(9) Test company representative;

(10) Test observers from any outside agency;

(11) Description of test methodology used, including any deviation from standard reference methods;

- (12) Schematic of sampling location;
- (13) Number of sampling points;
- (14) Description of sampling equipment;
- (15) Listing of sampling equipment calibrations and procedures;
- (16) Field and laboratory data sheets;
- (17) Description of sample recovery procedures;
- (18) Sampling equipment leak check results;
- (19) Description of quality assurance procedures;
- (20) Description of analytical procedures;
- (21) Notation of sample blank corrections; and
- (22) Sample emission calculations.

(g) The owner or operator shall maintain records of all shop opacity observations made in accordance with §60.273a(d). All shop opacity observations in excess of the emission limit specified in §60.272a(a)(3) of this subpart shall indicate a period of excess emissions, and shall be reported to the Administrator or delegated authority semi-annually, according to §60.7(c) and submitted according to paragraph (j) of this section. In addition to the information required at §60.7(c), the report shall include the following information:

(1) The company name and address of the affected facility.

(2) An identification of each affected facility being included in the report.

(3) Beginning and ending dates of the reporting period.

(4) A certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(h) The owner or operator shall maintain the following records for each bag leak detection system required under §60.273a(e):

(1) Records of the bag leak detection system output;

(2) Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection system settings; and

(3) An identification of the date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, if procedures were initiated within 1 hour of the alarm, the cause of the alarm, an explanation of the actions taken, the date and time the cause of the alarm was alleviated, and if the alarm was alleviated within 243 hours of the alarm.

(i) Within 60 days after the date of completing each performance test or demonstration of compliance required by this subpart, you must submit the results of the performance test following the procedures specified in paragraphs (i)(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 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 using 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 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 (i)(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 using the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. The preferred method to submit CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (e.g., Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov), and should include clear CBI markings and note the docket ID. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email [oaqpscbi@epa.gov](mailto:oaqpscbi@epa.gov) to request a file transfer link. If sending CBI information through the postal service, 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 paragraphs (i)(1) and (2) 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.

(j) You must submit a report of excess emissions and monitoring systems performance report according to §60.7(c) to the Administrator semiannually. Submit all reports to the EPA via CEDRI, which can be accessed through the EPA's CDX (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Anything submitted using CEDRI cannot later be claimed CBI. You must use the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for this subpart. The date report templates become available will be listed on the CEDRI website. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim, follow paragraph (i)(3) of this section except send to the attention of the Electric Arc Furnace Sector Lead. The same file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph (j). 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.

(k) 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 that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (k)(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) A description of 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.

(l) 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 that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (l)(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) A description of 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.

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