



State of Ohio Environmental Protection Agency

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P.O. Box 1049  
Columbus, OH 43216-1049

07/31/01

**CERTIFIED MAIL**

**RE: Draft Title V Chapter 3745-77 permit**

01-65-00-0007  
PPG Industries Ohio, Inc. (Circleville)  
Lori L. Leffler  
559 PITTSBURGH ROAD  
P.O. BOX 457  
CIRCLEVILLE, OH 43113

Dear Lori L. Leffler:

You are hereby notified that the Ohio Environmental Protection Agency has prepared the enclosed draft of the Title V permit for the facility referenced above. The purpose of this draft is to solicit public comments. A public notice concerning the draft will appear in the Ohio EPA Weekly Review and the major newspaper in the county where the facility is located. Comments and/or a request for a public hearing from the public and any affected parties will be accepted by Central District Office within 30 days of the date of publication in the newspaper. You will be notified in writing if a public hearing is scheduled.

A decision on processing the Title V permit will be made after consideration of written public comments and oral testimony (if a public hearing is conducted). After the comment period, you will be provided with a Preliminary Proposed Title V permit and an opportunity to comment prior to the Proposed Title V permit submittal to USEPA.

**If you have any questions or comments concerning this draft Title V permit, please contact Central District Office.**

Very truly yours,

Thomas G. Rigo, Manager  
Field Operations and Permit Section  
Division of Air Pollution Control

cc: USEPA (electronically submitted)  
Michael Ahern, DAPC PMU  
Central District Office



State of Ohio Environmental Protection Agency

**DRAFT TITLE V PERMIT**

Issue Date: 07/31/01	Effective Date: To be entered upon final issuance	Expiration Date: To be entered upon final issuance
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This document constitutes issuance of a Title V permit for Facility ID: 01-65-00-0007 to:  
 PPG Industries Ohio, Inc. (Circleville)  
 559 PITTSBURGH ROAD  
 P.O. BOX 457  
 CIRCLEVILLE, OH 43113

**Emissions Unit ID (Company ID)/Emissions Unit Activity Description**

N002 (ERU Incinerator) Incinerator system used to burn PPG wastes and	recover energy.
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You will be contacted approximately eighteen (18) months prior to the expiration date regarding the renewal of this permit. If you are not contacted, please contact the appropriate Ohio EPA District Office or local air agency listed below. This permit and the authorization to operate the air contaminant sources (emissions units) at this facility shall expire at midnight on the expiration date shown above. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC rule 3745-77-04(A) and in accordance with the terms of this permit beyond the expiration date, provided that a complete renewal application is submitted no earlier than eighteen (18) months and no later than one-hundred eighty (180) days prior to the expiration date.

Described below is the current Ohio EPA District Office or local air agency that is responsible for processing and administering your Title V permit:

Central District Office  
 3232 Alum Creek Drive  
 PO Box 1049  
 Columbus, OH 43216-1049  
 (614) 728-3778

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

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Christopher Jones  
 Director

## PART I - GENERAL TERMS AND CONDITIONS

### A. State and Federally Enforceable Section

#### 1. Monitoring and Related Recordkeeping and Reporting Requirements

- a. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:
  - i. The date, place (as defined in the permit), and time of sampling or measurements.
  - ii. The date(s) analyses were performed.
  - iii. The company or entity that performed the analyses.
  - iv. The analytical techniques or methods used.
  - v. The results of such analyses.
  - vi. The operating conditions existing at the time of sampling or measurement.
- b. Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.
- c. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:
  - i. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
  - ii. Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be promptly made to the appropriate Ohio EPA District Office or local air agency. These quarterly written reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c)(i) and (ii) pertaining to the submission of monitoring reports every six months and OAC rule 3745-77-07(A)(3)(c)(iii) pertaining to the prompt reporting of all deviations except malfunctions, which shall be reported in accordance with OAC rule 3745-15-06. The written reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.) See B.8 below if no deviations occurred during the quarter.
  - iii. Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted to

the appropriate Ohio EPA District Office or local air agency every six months, i.e., by January 31 and July 31 of each year for the previous six calendar months. These semi-annual written reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c)(i) and (ii) pertaining to the reporting of any deviations related to the monitoring, recordkeeping, and reporting requirements. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.

- iv. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

## **2. Scheduled Maintenance/Malfunction Reporting**

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports submitted pursuant to OAC rule 3745-15-06 shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c)(iii) pertaining to the prompt reporting of deviations caused by malfunctions or upsets.

Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emission unit(s) that is (are) served by such control system(s).

## **3. Risk Management Plans**

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the permittee shall comply with the requirement to register such a plan.

## **4. Title IV Provisions**

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

## **5. Severability Clause**

A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.

## 6. General Requirements

- a. The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and reissuance, or modification, or for denial of a permit renewal application.
- b. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.
- c. This permit may be modified, reopened, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.
- d. This permit does not convey any property rights of any sort, or any exclusive privilege.
- e. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

## 7. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78.

## 8. Marketable Permit Programs

No revision of this permit is required under any approved economic incentive, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit.

## 9. Reasonably Anticipated Operating Scenarios

The permittee is hereby authorized to make changes among operating scenarios authorized in this permit without notice to the Ohio EPA, but, contemporaneous with making a change from one operating scenario to another, the permittee must record in a log at the permitted facility the scenario under which the permittee is operating. The permit shield provided in these general terms and conditions shall apply to all operating scenarios authorized in this permit.

## 10. Reopening for Cause

This Title V permit will be reopened prior to its expiration date under the following conditions:

- a. Additional applicable requirements under the Act become applicable to one or more emissions units covered by this permit, and this permit has a remaining term of three or more years. Such a reopening shall be completed not later than eighteen months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to paragraph (E)(1) of OAC rule 3745-77-08.
- b. This permit is issued to an affected source under the acid rain program and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit, and shall not require a reopening of this permit.
- c. The Director of the Ohio EPA or the Administrator of the U.S. EPA determines that the federally applicable requirements in this permit are based on a material mistake, or that inaccurate statements were made in establishing the emissions standards or other terms and conditions of this permit related to such federally applicable requirements.
- d. The Administrator of the U.S. EPA or the Director of the Ohio EPA determines that this permit must be revised or revoked to assure compliance with the applicable requirements.

## 11. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA, the State, and citizens under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

## 12. Compliance Requirements

- a. Any document (including reports) required to be submitted and required by a federally applicable requirement in this Title V permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.
- b. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:
  - i. At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with paragraph (E) of OAC rule 3745-77-03.
  - iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
  - iv. As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.
- c. The permittee shall submit progress reports to the appropriate Ohio EPA District Office or local air agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually, or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:
- i. Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
  - ii. An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.
- d. Compliance certifications concerning the terms and conditions contained in this permit that are federally enforceable emission limitations, standards, or work practices, shall be submitted to the appropriate Ohio EPA District Office or local air agency in the following manner and with the following content:
- i. Compliance certifications shall be submitted annually on a calendar year basis. The annual certification shall be submitted on or before April 30th of each year during the permit term.
  - ii. Compliance certifications shall include the following:
    - (a) An identification of each term or condition of this permit that is the basis of the certification.
    - (b) The permittee's current compliance status.
    - (c) Whether compliance was continuous or intermittent.
    - (d) The method(s) used for determining the compliance status of the source currently and over the required reporting period.
    - (e) Such other facts as the Director of the Ohio EPA may require in the permit to determine the compliance status of the source.
  - iii. Compliance certifications shall contain such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Act.

### **13. Permit Shield**

- a. Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but

excluding terms and conditions for which the permit shield is expressly prohibited under OAC rule 3745-77-07) shall be deemed compliance with the applicable requirements identified and addressed in this permit as of the date of permit issuance.

- b. This permit shield provision shall apply to any requirement identified in this permit pursuant to OAC rule 3745-77-07(F)(2), as a requirement that does not apply to the source or to one or more emissions units within the source.

#### **14. Operational Flexibility**

The permittee is authorized to make the changes identified in OAC rule 3745-77-07(H)(1)(a) to (H)(1)(c) within the permitted stationary source without obtaining a permit revision, if such change is not a modification under any provision of Title I of the Act [as defined in OAC rule 3745-77-01(JJ)], and does not result in an exceedance of the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions), and the permittee provides the Administrator of the U.S. EPA and the appropriate Ohio EPA District Office or local air agency with written notification within a minimum of seven days in advance of the proposed changes, unless the change is associated with, or in response to, emergency conditions. If less than seven days notice is provided because of a need to respond more quickly to such emergency conditions, the permittee shall provide notice to the Administrator of the U.S. EPA and the appropriate District Office of the Ohio EPA or local air agency as soon as possible after learning of the need to make the change. The notification shall contain the items required under OAC rule 3745-77-07(H)(2)(d).

#### **15. Emergencies**

The permittee shall have an affirmative defense of emergency to an action brought for noncompliance with technology-based emission limitations if the conditions of OAC rule 3745-77-07(G)(3) are met. This emergency defense provision is in addition to any emergency or upset provision contained in any applicable requirement.

#### **16. Off Permit Changes**

The owner or operator of a Title V source may make any change in its operations or emissions at the source that is not specifically addressed or prohibited in the Title V permit, without obtaining an amendment or modification of the permit, provided that the following conditions are met:

- a. The change does not result in conditions that violate any applicable requirements or that violate any existing federally enforceable permit term or condition;
- b. The permittee provides contemporaneous written notice of the change to the director and the administrator, except that no such notice shall be required for changes that qualify as insignificant emission levels or activities as defined in OAC rule 3745-77-01(U). Such written notice shall describe each such change, the date of such change, any change in emissions or pollutants emitted, and any federally applicable requirement that would apply as a result of the change;

- c. The change shall not qualify for the permit shield under OAC rule 3745-77-07(F);
- d. The permittee shall keep a record describing all changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes; and
- e. The change is not subject to any applicable requirement under Title IV of the Act or is not a modification under any provision of Title I of the Act.

Paragraph (I) of rule 3745-77-07 of the Administrative Code applies only to modification or amendment of the permittee's Title V permit. The change made may require a permit to install under Chapter 3745-31 of the Administrative Code if the change constitutes a modification as defined in that Chapter. Nothing in paragraph (I) of rule 3745-77-07 of the Administrative Code shall affect any applicable obligation under Chapter 3745-31 of the Administrative Code.

(For further clarification, the permittee can refer to Engineering Guide #63 that is available in their STARSHIP software package.)

#### **17. Compliance Method Requirements**

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee, including but not limited to, any challenge to the Credible Evidence Rule (see 62 Fed. Reg. 8314, Feb. 24, 1997), in the context of any future proceeding.

#### **18. Insignificant Activity**

Each insignificant activity that has one or more applicable requirements shall comply with those applicable requirements.

## **B. State Only Enforceable Section**

### **1. Permit to Install Requirement**

Prior to the “installation” or “modification” of any “air contaminant source,” as those terms are defined in OAC rule 3745-31-01, a permit to install must be obtained from the Ohio EPA pursuant to OAC Chapter 3745-31.

### **2. Reporting Requirements Related to Monitoring and Recordkeeping Requirements**

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

### **3. Records Retention Requirements**

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

### **4. Inspections and Information Requests**

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with

this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

**5. Scheduled Maintenance/Malfunction Reporting**

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

**6. Permit Transfers**

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

**7. Air Pollution Nuisance**

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

**8. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations (See Section A of This Permit)**

If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

## Part II - Specific Facility Terms and Conditions

### A. State and Federally Enforcable Section

1. The terms and conditions of this permit do not follow the standard STARS numbering format when referencing the requirements of the MACT rule for Hazardous Waste Combusters (Subpart EEE) or the MACT rule for Off-Site Waste and Recovery Operations (Subpart DD). The Ohio EPA deviated from the traditional format due to the length and complexity of the MACT rules. Listed below are the applicable MACT sections and their corresponding location in this Title V permit.
  - 1.a Subpart EEE: Emission Standards and Operating Limits  
63.1203: What are the standards for hazardous waste incinerators? - Part III.A.I.2.g-j  
  
Subpart EEE: Monitoring and Compliance Provisions  
63.1206: When and how must you comply with the standards and operating requirements? - Part III.A.II.14-30  
63.1207: What are the performance testing requirements? - Part III.A.V.4-24  
63.1208: What are the test methods? - Part III.A.V.25-27  
63.1209: What are the monitoring requirements? - Part III.A.III.19-46  
  
Subpart EEE: Notification, Reporting and Recordkeeping  
63.1210: What are the notification requirements? - Part III.A.IV.17-25  
63.1211: What are the recordkeeping and reporting requirements? - Part III.A.IV.26-33  
63.1212: What are the other requirements pertaining to the NIC and associated progress reports? - Part III.A.IV.34
  - 1.b Subpart DD  
63.683: General - Part III.A.II.31-38  
63.684: Off-site material treatment - Part III.A.II.39-45  
63.685: Tanks - Part III.A.II.46-57  
63.686: Oil-water and organic-water separators - Part III.A.II.58  
63.687: Surface impoundments - Part III.A.II.59  
63.688: Containers - Part III.A.II.60-61  
63.689: Transfer systems - Part III.A.II.62-64

### B. State Only Enforceable Section

1. The following insignificant emissions units are located at this facility:  
  
B012 - ERU emergency generator (475 HP);  
F001 - ERU roadways and parking areas;  
F002 - ERU material handling operations;  
F003 - ERU ash/slag loading facility;  
J002 - ERU bulk liquid unloading facility;  
P801 - ERU feed distribution system;  
T026 - ERU caustic soda tank 1538;  
Z049 - ERU lab hood;  
Z050 - ERU lab hood;  
Z051 - ERU lab hood;  
Z052 - ERU lab hood;  
Z072 - ERU case crusher;  
Z076 - ERU drum pumpout station;  
Z077 - ERU drum pumpout station;  
Z078 - ERU drum pumpout station;  
Z085 - ERU cold cleaner; and  
Z086 - ERU cold cleaner.

Each insignificant emissions unit at this facility must comply with all applicable State and federal regulations, as well as any emission limitations and/or control requirements contained within a permit to install for the emissions unit.

### Part III - Terms and Conditions for Emissions Units

**Emissions Unit ID:** ERU Incinerator (N002)

**Activity Description:** Incinerator system used to burn PPG wastes and recover energy.

#### A. State and Federally Enforceable Section

##### I. Applicable Emissions Limitations and/or Control Requirements

- The specific operation(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be employed. Additional applicable emissions limitations and/or control measures (if any) may be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/ Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
energy recovery unit (ERU) incinerator with ESP and scrubber and associated tanks and special drum handling pumpout booth	OAC rule 3745-31-05(A)(3) (PTI 01-549)	Particulate emissions (PE) shall not exceed 0.05 grain/dry standard cubic foot corrected to 12% CO <sub>2</sub> .
		Sulfur dioxide (SO <sub>2</sub> ) emissions shall not exceed 0.126 lb/mmBtu actual heat input.
		Nitrogen oxides (NO <sub>x</sub> ) emissions shall not exceed 0.315 lb/mmBtu actual heat input.
		Carbon monoxide (CO) emissions shall not exceed 0.245 lb/mmBtu actual heat input.
		Lead (Pb) emissions shall not exceed 0.003 grain/dry standard cubic foot corrected to 12% CO <sub>2</sub> .
		There shall be no visible emissions from any material handling operations which handle asbestos or asbestos-containing waste material.
		Visible particulate emissions from any stack shall not exceed 20% opacity, as a 6-minute average, except as provided by rule.
		See A.I.2.a-f below.
	40 CFR Part 61, Subpart C (NESHAP for Beryllium)	The requirements of this rule also include compliance with OAC rules 3745-17-09(B) and 3745-17-09(C).
		The requirements established pursuant to this rule are equivalent to the requirements of OAC rule 3745-31-05(A)(3).

Facility Name: **PPG Industries, Inc. (Circleville)**

Facility ID: **01-65-00-0007**

Emissions Unit: **ERU Incinerator (N002)**

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/ Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
	40 CFR Part 61, Subpart E (NESHAP for Mercury)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
	OAC rule 3745-17-09(B)	PE emissions shall not exceed 0.10 lb/100 lbs of liquid, semi-solid or solid refuse and salvageable material charged.
	OAC rule 3745-17-09(C)	This emissions unit shall be designed, operated, and maintained so as to prevent the emission of objectionable odors.
	OAC rule 3745-17-07(A)	The requirements established pursuant to this rule are equivalent to the requirements of OAC rule 3745-31-05(A)(3).
	OAC rule 3745-18-06(E)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
	OAC rule 3745-21-07(G)(6)	The control efficiencies specified by this rule are less stringent than the control efficiencies established pursuant to OAC rule 3745-31-05(A)(3). See A.I.2.f below.
	40 CFR 63, Subpart EEE (MACT for Hazardous Waste Combustors)	See applicable references to section 63.1203 through section 63.1212 below.

Note: The terms and conditions derived directly from Subpart EEE are structured similar to the applicable standard as of April, 1 2001. If changes are made to this subpart in subsequent CFR revisions, the most recent Subpart EEE revision will supersede the Subpart EEE terms and conditions in this Title V permit.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/ Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
	40 CFR 63, Subpart DD (MACT for Off-Site Waste and Recovery Operations)	See applicable references to section 63.683 through section 63.689 below.  Note: The terms and conditions derived directly from Subpart DD are structured similar to the applicable standard as of April 2, 2001. If changes are made to this subpart in subsequent CFR revisions, the most recent Subpart DD revision will supersede the Subpart DD terms and conditions in this Title V permit.

## 2. Additional Terms and Conditions

- 2.a** The permittee shall maintain the necessary equipment and controls to meet the following performance standards:
- i. Principal Organic Hazardous Constituents (POHC's)
    - (a) This emissions unit shall maintain a minimum destruction and removal efficiency (DRE) of 99.99% for each POHC.
    - (b) This emissions unit shall not incinerate any POHC's which have a heat of combustion lower than carbon tetrachloride.
  - ii. Hydrogen Chloride (HCl)
    - (a) Emissions of HCl shall not exceed four (4.0) lbs per hour or 1% of the HCl in the stack gas prior to entering any pollution control equipment, whichever is greater.
  - iii. Particulate matter emissions
    - (a) Particulate emissions shall not exceed 180 milligrams per dry standard cubic meter (0.08 grain per dry standard cubic foot) when corrected for the amount of oxygen in the stack gas according to the formula:  
$$P_c = (P_m) \times (14) / (21 - Y)$$
where  $P_c$  is the corrected concentration of particulate matter,  $P_m$  is the measured concentration of particulate matter, and  $Y$  is the measured concentration of oxygen in the stack gas.
    - (b) The emission limitation specified in A.I.2.a.iii.(a) is the USEPA RCRA requirement for particulate matter from hazardous waste incinerators. The permittee must comply with both the particulate emission limitations in Section A.I.2.a.iii.(a) and Section A.I.1 of this permit.

## **2. Additional Terms and Conditions (continued)**

**2.b** The permittee shall maintain and operate the necessary equipment and controls to meet the following standards from this emissions unit:

i. Beryllium

(a) This emissions unit shall not emit greater than 10 grams of beryllium over a 24-hour period.

The permittee shall conduct sample collection and analyses of all waste for beryllium (Be) in accordance with the most recently approved RCRA permit for this emissions unit and 40 CFR Part 61, Subpart C.

Compliance with this standard shall be tracked through these analyses and the most recent stack test trial burn removal efficiency results for Be.

ii. Mercury

(a) This emissions unit shall not emit greater than 3.2 grams of mercury(Hg) per 24-hour period.

The permittee shall analyze all waste for mercury (Hg) content (% by weight).

Compliance with this standard shall be tracked through collection and analysis of the Hg content of waste, in accordance with the most recently approved RCRA permit for this emissions unit, 40 CFR Part 61, Subpart C, waste feed data, and the most recent stack test trial burn removal efficiency results for Hg.

**2.c** This emissions unit shall not incinerate any asbestos-containing materials or waste.

**2.d** This emissions unit shall not exceed the following available increments: 631.24 lbs CO/day; 495.62 lbs NOx/day; 229.89 lbs SO<sub>2</sub>/day and 159.29 lbs PE/day.

**2.e** The emissions of organic compounds from Storage Tanks no. 1501-1506, 1511-1527, 1540, T002-T024 and T027 shall be vented either through an incinerator combustion chamber or a regenerable activated carbon system. The incinerator shall destroy 99.99% of the organic vapors when in operation. The activated carbon system shall operate as a backup and at an average overall control efficiency of at least 95 percent (%) for all organic compounds.

**2.f** The emissions of organic compounds from the special drum handling pumpout booth shall be vented through the incinerator combustion chamber which shall destroy 99.99 percent (%) of the organic vapors when in operation. During process unit (incinerator) shutdowns, the special drum handling pumpout booth operations shall also be shutdown.

## 2. Additional Terms and Conditions (continued)

### 2.g 40 CFR 63, Subpart EEE: Emission Standards and Operating Limits

63.1203: What are the standards for hazardous waste incinerators?

(a) Emission limits for existing sources You must not discharge or cause combustion gasses to be emitted into the atmosphere that contain:

(1) For dioxins and furans:

(i) Emissions in excess of 0.20 ng TEQ/dscm corrected to 7 percent oxygen; or

(ii) Emissions in excess of 0.40 ng TEQ/dscm corrected to 7 percent oxygen provided that the combustion gas temperature at the inlet to the initial particulate matter control device is 400 degrees F or lower based on the average of the test run average temperatures; (For purposes of compliance, operation of a wet particulate control device is presumed to meet the 400 degrees F or lower requirement.)

(2) Mercury in excess of 130 micrograms/dscm corrected to 7 percent oxygen;

(3) Lead and cadmium in excess of 240 micrograms/dscm, combined emissions, corrected to 7 percent oxygen;

(4) Arsenic, beryllium, and chromium in excess of 97 micrograms/dscm, combined emissions, corrected to 7 percent oxygen;

(5) For carbon monoxide and hydrocarbons, either:

(i) Carbon monoxide in excess of 100 parts per million by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis and corrected to 7 percent oxygen. If you elect to comply with this carbon monoxide standard rather than the hydrocarbon standard under paragraph (a)(5)(ii) of this section, you must also document that, during the destruction and removal efficiency (DRE) test runs or their equivalent as provided by 63.1206(b)(7), hydrocarbons do not exceed 10 parts per million by volume during those runs, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen, and reported as propane; or

## 2. Additional Terms and Conditions (continued)

### 2.h 63.1203: continued

(a)(ii) Hydrocarbons in excess of 10 parts per million by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen, and reported as propane;

(6) Hydrochloric acid and chlorine gas in excess of 77 parts per million by volume, combined emissions, expressed as hydrochloric acid equivalents, dry basis and corrected to 7 percent oxygen; and

(7) Particulate matter in excess of 34 mg/dscm corrected to 7 percent oxygen.

(b) Emission limits for new sources. You must not discharge or cause combustion gases to be emitted into the atmosphere that contain:

(1) Dioxins and furans in excess of 0.20 ng TEQ/dscm, corrected to 7 percent oxygen;

(2) Mercury in excess of 45 micrograms/dscm corrected to 7 percent oxygen;

(3) Lead and cadmium in excess of 24 micrograms/dscm, combined emissions, corrected to 7 percent oxygen;

(4) Arsenic, beryllium, and chromium in excess of 97 micrograms/dscm, combined emissions, corrected to 7 percent oxygen;

(5) For carbon monoxide and hydrocarbons, either:

(i) Carbon monoxide in excess of 100 parts per million by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis and corrected to 7 percent oxygen. If you elect to comply with this carbon monoxide standard rather than the hydrocarbon standard under paragraph (b)(5)(ii) of this section, you must also document that, during the destruction and removal efficiency (DRE) test runs or their equivalent as provided by 63.1206(b)(7), hydrocarbons do not exceed 10 parts per million by volume during those runs, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen, and reported as propane; or

## 2. Additional Terms and Conditions (continued)

### 2.i 63.1203: continued

(b)(ii) Hydrocarbons in excess of 10 parts per million by volume, over an hourly rolling average (monitored continuously with a continuous emissions monitoring system), dry basis, corrected to 7 percent oxygen, and reported as propane;

(6) Hydrochloric acid and chlorine gas in excess of 21 parts per million by volume, combined emissions, expressed as hydrochloric acid equivalents, dry basis and corrected to 7 percent oxygen; and

(7) Particulate matter in excess of 34 mg/dscm corrected to 7 percent oxygen.

(c) Destruction and removal efficiency (DRE) standard. (1) 99.99% DRE. Except as provided in paragraph (c)(2) of this section, you must achieve a destruction and removal efficiency (DRE) of 99.99% for each principle organic hazardous constituent (POHC) designated under paragraph (c)(3) of this section. You must calculate DRE for each POHC from the following equation:

$$\text{DRE} = [1 - (\text{Wout}/\text{Win})] \times 100\%$$

Where:

Win = mass feedrate of one principal organic hazardous constituent (POHC) in a waste feedstream; and

Wout = mass emission rate of the same POHC present in exhaust emissions prior to release to the atmosphere

(2) 99.9999% DRE. If you burn the dioxin-listed hazardous wastes FO20, FO21, FO22, FO23, FO26, or FO27 (see 261.31 of this chapter), you must achieve a destruction and removal efficiency (DRE) of 99.9999% for each principle organic hazardous constituent (POHC) that you designate under paragraph (c)(3) of this section. You must demonstrate this DRE performance on POHCs that are more difficult to incinerate than tetro-, penta-, and hexachlorodibenzo-p-dioxins and dibenzofurans. You must use the equation in paragraph (c)(1) of this section calculate DRE for each POHC. In addition, you must notify the Administrator of your intent to incinerate hazardous wastes FO20, FO21, FO22, FO23, FO26, or FO27.

### 2.j 63.1203: continued

(c)(3) Principal organic hazardous constituents (POHCs). (i) You must treat the Principal Organic Hazardous Constituents (POHCs) in the waste feed that you specify under paragraph (c)(3)(ii) of this section to the extent required by paragraphs (c)(1) and (c)(2) of this section.

(ii) You must specify one or more POHCs from the list of hazardous air pollutants established by 42 U.S.C. 7412(b)(1), excluding caprolactam (CAS number 105602) as provided by 63.60, for each waste to be burned. You must base this specification on the degree of difficulty of incineration of the organic constituents in the waste and on their concentration or mass in the waste feed, considering the results of waste analyses or other data and information.

(d) Significant figures. The emission limits provided by paragraphs (a) and (b) of this section are presented with two significant figures. Although you must perform intermediate calculations using at least three significant figures, you may round the resultant emission levels to two significant figures to document compliance.

## II. Operational Restrictions

### 1. Temperature Operational Restrictions

- a. a thermocouple shall be located in the secondary combustion chamber at a point downstream of the point where secondary combustion air is introduced. The thermocouple and recorder shall be calibrated, operated and maintained in accordance with the manufacturer's recommendations, instructions and operating manuals;
- b. a spare thermocouple, for the secondary combustion chamber shall be maintained in inventory;
- c. the temperature as indicated by the thermocouple located downstream of the point where secondary air is introduced in the secondary combustion chamber shall be maintained at a temperature greater than the minimum temperature which has been demonstrated to be necessary to destroy 99.99% of each POHC at all times while waste is being fed to the incinerator. In no case shall the temperature fall below 1700 degrees Fahrenheit (degrees F) while waste is being fed to the incinerator; and
- d. the Director of the Ohio EPA reserves the right to require that the minimum temperature in the secondary combustion chamber be higher than 1700 degrees F during the combustion of certain or all waste materials.

### 2. Flow Rate Operational Restriction

The total exhaust gas volumetric flow shall not exceed 26,780 standard cubic feet per minute as an hourly average.

### 3. Scrubber Operational Restrictions

- a. the scrubber shall be maintained in operation at all times while the incinerator is being fed wastes;
- b. the pH of the scrubbant to the scrubber shall be maintained between 6.5 and 9.0; and
- c. an inventory of spare parts shall be maintained (such as scrubber nozzles, scrubber pumps and valves, pump motors, pump bushings and bearings, pump valve seals and packaging, fan bearings, motor to pump couplings or belts, motor to fan couplings or belts).

### 4. Electrostatic Precipitator (ESP) Operational Restrictions

The permittee shall operate this emissions unit in accordance with the following:

- a. the average total combined power input (in kilowatts) to all fields of the ESP, for any 3-hour block of time when the emissions unit is in operation, shall be no less than 90 percent of the total combined power input, as a 3-hour average, during the most recent emissions test that demonstrated the emissions unit was in compliance with the particulate emission limitation; and
- b. the permittee shall operate the ESP during any operation of this emissions unit, except the ESP may not be operated during periods of start-up until the exhaust gases have achieved a temperature of 250 degrees Fahrenheit at the inlet of the ESP or during periods of shutdown when the temperature of the exhaust gases has dropped below 250 degrees Fahrenheit at the inlet of the ESP.

### 5. Safeguard Operational Restrictions

- a. safeguard devices shall be maintained so that if any portion of the scrubbing system or any two fields of an electrostatic precipitator should fail, the incinerator feed shall immediately cease the incineration of hazardous waste, except those waste considered hazardous solely due to their ignitability; and
- b. if any one field of an electrostatic precipitator is out of operation for an hour or more, the feeding of waste stock, other than waste classified hazardous due to ignitability only, shall cease.

## **II. Operational Restrictions (continued)**

### **6. Startup Operational Restrictions and Procedures**

Startup of the incinerator shall begin with the heating of the cold combustion zone with natural gas, distillate fuel oil or waste materials which have been classified as hazardous solely due to their ignitability if approved by the Director of the Ohio EPA. Alternate fuels may not be used unless the Director of the Ohio EPA has granted prior approval. Feeding of waste materials to the incinerator shall not commence until the temperature in the secondary combustion chamber, as measured by the thermocouple downstream of the point of introduction of secondary combustion air, has reached or exceeded the temperature demonstrated during the most recent emission test for POHC's to be necessary to destroy each POHC to be burned. At no time shall waste materials (other than those classified as hazardous solely due to ignitability if approved by the Director of the Ohio EPA) be fed to the incinerator unless the temperature in the secondary combustion chamber has reached at least 1700 degrees F.

During the startup period the operating parameter restriction specified in Section A.II.1.c of this permit shall not apply.

Waste material shall not be fed to the incinerator until the electrostatic precipitator and scrubber have been started up and have achieved a stable operating condition.

### **7. Halogens Operational Restriction**

The permittee shall not feed greater than 200 pounds per hour of halogens to the incinerator.

### **8. Waste Fuel Stock and Water Waste Operational Restrictions**

The permittee shall comply with all State and federal laws and regulations including, but not limited to, the Toxic Substances Control Act of 1979. No polychlorinated biphenyls (PCB's) in excess of 50 ppm shall be incinerated unless the permittee obtains an Ohio EPA Permit to Install (PTI). No herbicides, pesticides, rodenticides, insecticides, or high-level or low-level radioactive wastes or other materials shall be incinerated in violation of State and federal laws and regulations.

### **9. Available Increment Operational Restrictions**

When burning natural gas, if the incinerator operates at greater than 71 percent (%) capacity, then the peaking and stand-by boilers shall not operate at capacity.

When burning fuel oil, the incinerator's steam generation shall not exceed 1106 thousand lbs/day. As incinerator usage drops the maximum allowable steam generation will also drop. When the incinerator is not operating, the maximum possible steam generation from the boilers shall not exceed 399 thousand lbs/day.

### **10. NESHAPS (Benzene) Operational Restrictions**

The permittee shall not accept wastes containing greater than 10%, by weight, benzene. The permittee must apply for and obtain a Permit to Install which includes a review of the National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements for benzene, before this facility may accept such wastes.

### **11. Asbestos Operational Restriction**

The permittee shall not charge any asbestos containing waste into the incineration system.

### **12. Continuous Opacity Monitor (COM)**

A statement of certification of the existing continuous opacity monitoring system shall be maintained on site and shall consist of a letter from the Ohio EPA detailing the results of an Agency review of the certification tests and a statement by the Agency that the system is considered certified in accordance with the requirements of 40 CFR Part 60, Appendix B, Performance Specification 1. Proof of certification shall be made available to the Director (Ohio EPA, Central District Office) upon request.

## II. Operational Restrictions (continued)

### 13. Continuous Emission Monitor (CEM)

A statement of certification of the existing continuous CO monitoring system shall be maintained on site and shall consist of a letter from the Ohio EPA detailing the results of an Agency review of the certification tests and a statement by the Agency that the system is considered certified in accordance with the requirements of 40 CFR Part 60, Appendix B, Performance Specification 4 and 6. Proof of certification shall be made available to the Director (Ohio EPA, Central District Office) upon request.

### 14. 40 CFR 63, Subpart EEE: Monitoring and Compliance Provisions

63.1206: When and how must you comply with the standards and operating requirements?

(a) Compliance dates -- (1) Compliance date for existing sources. You must comply with the standards of this subpart no later than September 30, 2002 unless the Administrator grants you an extension of time under 63.6(i) or 63.1213, or you comply with the requirements of paragraph (a)(2) of this section for sources that do not intend to comply with the emission standards.

(2) Sources that do not intend to comply. Except for those sources meeting the requirements of 63.1210(b)(1)(iv), sources:

(i) That signify in their Notification of Intent to Comply (NIC) an intent not to comply with the requirements of this subpart, must stop burning hazardous waste on or before October 1, 2001.

(ii) That do not intend to comply with this subpart must include in their NIC a schedule that includes key dates for the steps to be taken to stop burning hazardous waste. Key dates include the date for submittal of RCRA closure documents required under subpart G, part 264, of this chapter.

(3) New or reconstructed sources. (i) If you commenced construction or reconstruction of your hazardous waste combustor after April 19, 1996, you must comply with this subpart by the later of September 30, 1999 or the date the source starts operations, except as provided by paragraph (a)(3)(ii) of this section. The costs of retrofitting and replacement of equipment that is installed specifically to comply with this subpart, between April 19, 1996 and a source's compliance date, are not considered to be reconstruction costs.

### 15. 63.1206: continued

(a)(3)(ii) For a standard in this subpart that is more stringent than the standard proposed on April 19, 1996, you may achieve compliance no later than September 30, 2002 if you comply with the standard proposed on April 19, 1996 after September 30, 1999. This exception does not apply, however, to new or reconstructed area source hazardous waste combustors that become major sources after September 30, 1999. As provided by 63.6(b)(7), such sources must comply with this subpart at startup.

(b) Compliance with standards -- (1) Applicability. The emission standards and operating requirements set forth in this subpart apply at all times except:

(i) During startup, shutdown, and malfunction, provided that hazardous waste is not in the combustion chamber (i.e., the hazardous waste feed to the combustor has been cutoff for a period of time not less than the hazardous waste residence time) during those periods of operation, as provided by paragraph (c)(2)(ii) of this section; and

(ii) When hazardous waste is not in the combustion chamber (i.e., the hazardous waste feed to the combustor has been cutoff for a period of time not less than the hazardous waste residence time), and you have:

(A) Submitted a written, one-time notice to the Administrator documenting compliance with all applicable requirements and standards promulgated under authority of the Clean Air Act, including sections 112 and 129; and

(B) Documented in the operating record that you are complying with such applicable requirements in lieu of the emission standards and operating requirements of this subpart.

## II. Operational Restrictions (continued)

### 16. 63.1206: continued

(b)(2) Methods for determining compliance. The Administrator will determine compliance with the emission standards of this subpart as provided by 63.6(f)(2). Conducting performance testing under operating conditions representative of the extreme range of normal conditions is consistent with the requirements of 63.6(f)(2)(iii)(B) and 63.7(e)(1) to conduct performance testing under representative operating conditions.

(3) Finding of compliance. The Administrator will make a finding concerning compliance with the emission standards and other requirements of this subpart as provided by 63.6(f)(3).

(4) Extension of compliance with emission standards. The Administrator may grant an extension of compliance with the emission standards of this subpart as provided by 63.6(i) and 63.1213.

(5) Changes in design, operation, or maintenance -- (i) Changes that may adversely affect compliance. If you plan to change (as defined in paragraph (b)(5)(iii) of this section) the design, operation, or maintenance practices of the source in a manner that may adversely affect compliance with any emission standard that is not monitored with a CEMS:

(A) Notification. You must notify the Administrator at least 60 days prior to the change, unless you document circumstances that dictate that such prior notice is not reasonably feasible. The notification must include:

(1) A description of the changes and which emission standards may be affected; and

(2) A comprehensive performance test schedule and test plan under the requirements of 63.1207(f) that will document compliance with the affected emission standard(s);

### 17. 63.1206: continued

(b)(5)(i)(B) Performance test. You must conduct a comprehensive performance test under the requirements of 63.1207(f)(1) and (g)(1) to document compliance with the affected emission standard(s) and establish operating parameter limits as required under 63.1209, and submit to the Administrator a Notification of Compliance under 63.1207(j) and 63.1210(d); and

(C) Restriction on waste burning. (1) Except as provided by paragraph (b)(5)(i)(C)(2) of this section, after the change and prior to submitting the notification of compliance, you must not burn hazardous waste for more than a total of 720 hours (renewable at the discretion of the Administrator) and only for the purposes of pretesting or comprehensive performance testing. Pretesting is defined at 63.1207(h)(2)(i) and (ii).

(2) You may petition the Administrator to obtain written approval to burn hazardous waste in the interim prior to submitting a Notification of Compliance for purposes other than testing or pretesting. You must specify operating requirements, including limits on operating parameters, that you determine will ensure compliance with the emission standards of this subpart based on available information. The Administrator will review, modify as necessary, and approve if warranted the interim operating requirements.

(ii) Changes that will not affect compliance. If you determine that a change will not adversely affect compliance with the emission standards or operating requirements, you must document the change in the operating record upon making such change. You must revise as necessary the performance test plan, Documentation of Compliance, Notification of Compliance, and start-up, shutdown, and malfunction plan to reflect these changes.

## II. Operational Restrictions (continued)

**18.** 63.1206: continued

(b)(5)(i)(C)(iii) Definition of "change." For purposes of paragraph (b)(5) of this section, "change" means any change in design, operation, or maintenance practices that were documented in the comprehensive performance test plan, Notification of Compliance, or startup, shutdown, and malfunction plan.

(6) Compliance with the carbon monoxide and hydrocarbon emission standards. This paragraph applies to sources that elect to comply with the carbon monoxide and hydrocarbon emissions standards under 63.1203 through 63.1205 by documenting continuous compliance with the carbon monoxide standard using a continuous emissions monitoring system and documenting compliance with the hydrocarbon standard during the destruction and removal efficiency (DRE) performance test or its equivalent.

(i) If a DRE test performed after March 30, 1998 is acceptable as documentation of compliance with the DRE standard, you may use the highest hourly rolling average hydrocarbon level achieved during those DRE test runs to document compliance with the hydrocarbon standard. An acceptable DRE test is a test that was used to support successful issuance or reissuance of an operating permit under part 270 of this chapter.

(ii) If during this acceptable DRE test you did not obtain hydrocarbon emissions data sufficient to document compliance with the hydrocarbon standard, you must either:

**19.** 63.1206: continued

(b)(6)(ii)(A) Perform, as part of the performance test, an "equivalent DRE test" to document compliance with the hydrocarbon standard. An equivalent DRE test is comprised of a minimum of three runs each with a minimum duration of one hour during which you operate the combustor as close as reasonably possible to the operating parameter limits that you established based on the initial DRE test. You must use the highest hourly rolling average hydrocarbon emission level achieved during the equivalent DRE test to document compliance with the hydrocarbon standard; or (B) Perform a DRE test as part of the performance test.

(7) Compliance with the DRE standard. (i) Except as provided in paragraphs (b)(7)(ii) and (b)(7)(iii) of this section:

(A) You must document compliance with the Destruction and Removal Efficiency (DRE) standard under 63.1203 through 63.1205 only once provided that you do not modify the source after the DRE test in a manner that could affect the ability of the source to achieve the DRE standard; and

(B) You may use DRE testing performed after March 30, 1998 for purposes of issuance or reissuance of a RCRA permit under part 270 of this chapter to document conformance with the DRE standard if you have not modified the design or operation of the source since the DRE test in a manner that could affect the ability of the source to achieve the DRE standard.

(ii) For sources that feed hazardous waste at a location in the combustion system other than the normal flame zone:

## II. Operational Restrictions (continued)

### 20. 63.1206: continued

(b)(7)(ii)(A) You must demonstrate compliance with the DRE standard during each comprehensive performance test; and

(B) You may use DRE testing performed after March 30, 1998 for purposes of issuance or reissuance of a RCRA permit under part 270 of this chapter to document conformance with the DRE standard in lieu of DRE testing during the initial comprehensive performance test if you have not modified the design or operation of the source since the DRE test in a manner that could affect the ability of the source to achieve the DRE standard.

(iii) For sources that do not use DRE testing performed prior to the compliance date to document conformance with the DRE standard, you must perform DRE testing during the initial comprehensive performance test.

(8) Applicability of particulate matter and opacity standards during particulate matter CEMS correlation tests. (i) Any particulate matter and opacity standards of parts 60, 61, 63, 264, 265, and 266 of this chapter (i.e., any title 40 particulate or opacity standards) applicable to a hazardous waste combustor do not apply while you conduct particulate matter continuous emissions monitoring system (CEMS) correlation tests (i.e., correlation with manual stack methods) under the conditions of paragraphs (b)(8)(iii) through (vii) of this section.

(ii) Any permit or other emissions or operating parameter limits or conditions, including any limitation on workplace practices, that are applicable to hazardous waste combustors to ensure compliance with any particulate matter and opacity standards of parts 60, 61, 63, 264, 265, and 266 of this chapter (i.e., any title 40 particulate or opacity standards) do not apply while you conduct particulate matter CEMS correlation tests under the conditions of paragraphs (b)(8)(iii) through (vii) of this section.

### 21. 63.1206: continued

(b)(8)(iii) For the provisions of this section to apply, you must:

(A) Develop a particulate matter CEMS correlation test plan that includes the following information. This test plan may be included as part of the comprehensive performance test plan required under 63.1207(e) and (f):

(1) Number of test conditions and number of runs for each test condition;

(2) Target particulate matter emission level for each test condition;

(3) How you plan to modify operations to attain the desired particulate matter emission levels; and

(4) Anticipated normal particulate matter emission levels; and

(B) Submit the test plan to the Administrator for approval at least 90 calendar days before the correlation test is scheduled to be conducted.

(iv) The Administrator will review and approve/disapprove the correlation test plan under the procedures for review and approval of the site-specific test plan provided by 63.7(c)(3)(i) and (iii). If the Administrator fails to approve or disapprove the correlation test plan within the time period specified by 63.7(c)(3)(i), the plan is considered approved, unless the Administrator has requested additional information.

(v) The particulate matter and opacity standards and associated operating limits and conditions will not be waived for more than 96 hours, in the aggregate, for a correlation test, including all runs of all test conditions.

(vi) The stack sampling team must be on-site and prepared to perform correlation testing no later than 24 hours after you modify operations to attain the desired particulate matter emissions concentrations, unless you document in the correlation test plan that a longer period of conditioning is appropriate.

(vii) You must return to operating conditions indicative of compliance with the applicable particulate matter and opacity standards as soon as possible after correlation testing is completed.

## II. Operational Restrictions (continued)

### 22. 63.1206: continued

(b)(11) Calculation of hazardous waste residence time. You must calculate the hazardous waste residence time and include the calculation in the performance test plan under 63.1207(f) and the operating record. You must also provide the hazardous waste residence time in the Documentation of Compliance under 63.1211(d) and the Notification of Compliance under 63.1207(j) and 63.1210(d).

(12) Documenting compliance with the standards based on performance testing.

(i) You must conduct a minimum of three runs of a performance test required under 63.1207 to document compliance with the emission standards of this subpart.

(ii) You must document compliance with the emission standards based on the arithmetic average of the emission results of each run, except that you must document compliance with the destruction and removal efficiency standard for each run of the comprehensive performance test individually.

### 23. 63.1206: continued

(b)(14) Alternative particulate matter standard for incinerators with de minimis metals.

(i) General. You may petition the Administrator for an alternative particulate matter standard of 68 mg/dscm, corrected to 7% oxygen, if you meet the de minimis metals criteria of paragraph (b)(14)(ii) of this section.

(ii) Documentation required. The alternative standard petition you submit under paragraph (b)(14)(i) of this section must include data or information documenting that:

(A) Your feedstreams do not contain detectable levels of antimony, cobalt, manganese, nickel, selenium, lead, cadmium, chromium, arsenic and beryllium.

(B) Your combined uncontrolled lead, cadmium and selenium emissions, when assuming these metals are present in your feedstreams at one-half the detection limit, are below 240 ug/dscm, corrected to 7% oxygen.

(C) Your combined uncontrolled antimony, cobalt, manganese, nickel, chromium, arsenic and beryllium emissions, when assuming these metals are present in your feedstreams at one-half the detection limit, are below 97 ug/dscm, corrected to 7% oxygen.

(iii) Frequency of analysis. You must sample and analyze your feedstreams at least annually to document that you meet the de minimis criteria in paragraph (b)(14)(ii) of this section.

(iv) You must not operate pursuant to this alternative standard unless the Administrator determines and provides written confirmation that you meet the eligibility requirements in paragraph (b)(14)(ii) of this section.

(c) Operating requirements -- (1) General. (i) You must operate only under the operating requirements specified in the Documentation of Compliance under 63.1211(d) or the Notification of Compliance under 63.1207(j) and 63.1210(d), except:

(A) During performance tests under approved test plans according to 63.1207(e), (f), and (g).

(B) Under the conditions of paragraph (b)(1)(i) or (ii) of this section.

## II. Operational Restrictions (continued)

### 24. 63.1206: continued

(c)(1)(ii) The Documentation of Compliance and the Notification of Compliance must contain operating requirements including, but not limited to, the operating requirements in this section and 63.1209

(iii) Failure to comply with the operating requirements is failure to ensure compliance with the emission standards of this subpart.

(iv) Operating requirements in the Notification of Compliance are applicable requirements for purposes of parts 70 and 71 of this chapter.

(v) The operating requirements specified in the Notification of Compliance will be incorporated in the title V permit.

(2) Startup, shutdown, and malfunction plan. (i) Except as provided by paragraph (c)(2)(ii) of this section, you are subject to the startup, shutdown, and malfunction plan requirements of 63.6(e)(3).

(ii) Even if you follow the startup and shutdown procedures and the corrective measures upon a malfunction that are prescribed in the startup, shutdown, and malfunction plan, the emission standards and operating requirements of this subpart apply if hazardous waste is in the combustion chamber (i.e., if you are feeding hazardous waste or if startup, shutdown, or a malfunction occurs before the hazardous waste residence time has transpired after hazardous waste cutoff).

(iii) You must identify in the plan a projected oxygen correction factor based on normal operations to use during periods of startup and shutdown.

(iv) You must record the plan in the operating record.

(3) Automatic waste feed cutoff (AWFCO) -- (i) General. Upon the compliance date, you must operate the hazardous waste combustor with a functioning system that immediately and automatically cuts off the hazardous waste feed, except as provided by paragraph (c)(3)(viii) of this section:

### 25. 63.1206: continued

(c)(3)(A) When any of the following are exceeded: Operating parameter limits specified under 63.1209; an emission standard monitored by a CEMS; and the allowable combustion chamber pressure;

(B) When the span value of any CMS detector, except a CEMS, is met or exceeded;

(C) Upon malfunction of a CMS monitoring an operating parameter limit specified under 63.1209 or an emission level; or

(D) When any component of the automatic waste feed cutoff system fails.

(ii) Ducting of combustion gases. During an AWFCO, you must continue to duct combustion gasses to the air pollution control system while hazardous waste remains in the combustion chamber (i.e., if the hazardous waste residence time has not transpired since the hazardous waste feed cutoff system was activated).

(iii) Restarting waste feed. You must continue to monitor during the cutoff the operating parameters for which limits are established under 63.1209 and the emissions required under that section to be monitored by a CEMS, and you must not restart the hazardous waste feed until the operating parameters and emission levels are within the specified limits.

(iv) Failure of the AWFCO system. If the AWFCO system fails to automatically and immediately cutoff the flow of hazardous waste upon exceedance of parameter required to be interlocked with the AWFCO system under paragraph (c)(3)(i) of this section, you have failed to comply with the AWFCO requirements of paragraph (c)(3) of this section.

## II. Operational Restrictions (continued)

### 26. 63.1206: continued

(c)(3)(v) Corrective measures. If, after any AWFCO, there is an exceedance of an emission standard or operating requirement, irrespective of whether the exceedance occurred while hazardous waste remained in the combustion chamber (i.e., whether the hazardous waste residence time has transpired since the hazardous waste feed cutoff system was activated), you must investigate the cause of the AWFCO, take appropriate corrective measures to minimize future AWFCOs, and record the findings and corrective measures in the operating record.

(vi) Excessive exceedance reporting. (A) For each set of 10 exceedances of an emission standard or operating requirement while hazardous waste remains in the combustion chamber (i.e., when the hazardous waste residence time has not transpired since the hazardous waste feed was cutoff) during a 60-day block period, you must submit to the Administrator a written report within 5 calendar days of the 10th exceedance documenting the exceedances and results of the investigation and corrective measures taken.

(B) On a case-by-case basis, the Administrator may require excessive exceedance reporting when fewer than 10 exceedances occur during a 60-day block period.

(vii) Testing. The AWFCO system and associated alarms must be tested at least weekly to verify operability, unless you document in the operating record that weekly inspections will unduly restrict or upset operations and that less frequent inspection will be adequate. At a minimum, you must conduct operability testing at least monthly. You must document and record in the operating record AWFCO operability test procedures and results.

### 27. 63.1206: continued

(c)(3)(viii) Ramping down waste feed. (A) You may ramp down the waste feedrate of pumpable hazardous waste over a period not to exceed one minute, except as provided by paragraph (c)(3)(viii)(B) of this section. If you elect to ramp down the waste feed, you must document ramp down procedures in the operating and maintenance plan. The procedures must specify that the ramp down begins immediately upon initiation of automatic waste feed cutoff and the procedures must prescribe a bona fide ramping down. If an emission standard or operating limit is exceeded during the ramp down, you have failed to comply with the emission standards or operating requirements of this subpart.

(B) If the automatic waste feed cutoff is triggered by an exceedance of any of the following operating limits, you may not ramp down the waste feed cutoff: Minimum combustion chamber temperature, maximum hazardous waste feedrate, or any hazardous waste firing system operating limits that may be established for your combustor.

(4) ESV openings -- (i) Failure to meet standards. If an emergency safety vent (ESV) opens when hazardous waste remains in the combustion chamber (i.e., when the hazardous waste residence time has not transpired since the hazardous waste feed cutoff system was activated) such that combustion gases are not treated as during the most recent comprehensive performance test (e.g., if the combustion gas by-passes any emission control device that was operating during the performance test), it is evidence of your failure to comply with the emission standards of this subpart.

(ii) ESV operating plan. (A) You must develop an ESV operating plan, comply with the operating plan, and keep the plan in the operating record.

## II. Operational Restrictions (continued)

### 28. 63.1206: continued

(c)(4)(ii)(B) The ESV operating plan must provide detailed procedures for rapidly stopping the waste feed, shutting down the combustor, and maintaining temperature and negative pressure in the combustion chamber during the hazardous waste residence time, if feasible. The plan must include calculations and information and data documenting the effectiveness of the plan's procedures for ensuring that combustion chamber temperature and negative pressure are maintained as is reasonably feasible.

(iii) Corrective measures. After any ESV opening that results in a failure to meet the emission standards as defined in paragraph (c)(4)(i) of this section, you must investigate the cause of the ESV opening, take appropriate corrective measures to minimize such future ESV openings, and record the findings and corrective measures in the operating record.

(iv) Reporting requirement. You must submit to the Administrator a written report within 5 days of an ESV opening that results in failure to meet the emission standards of this subpart (as defined in paragraph (c)(4)(i) of this section) documenting the result of the investigation and corrective measures taken.

(5) Combustion system leaks. (i) Combustion system leaks of hazardous air pollutants must be controlled by:

(A) Keeping the combustion zone sealed to prevent combustion system leaks; or

(B) Maintaining the maximum combustion zone pressure lower than ambient pressure using an instantaneous monitor; or

(C) Upon prior written approval of the Administrator, an alternative means of control to provide control of combustion system leaks equivalent to maintenance of combustion zone pressure lower than ambient pressure; and

(ii) You must specify in the operating record the method used for control of combustion system leaks.

### 29. 63.1206: continued

(c)(6) Operator training and certification. (i) You must establish training programs for all categories of personnel whose activities may reasonably be expected to directly affect emissions of hazardous air pollutants from the source. Such persons include, but are not limited to, chief facility operators, control room operators, continuous monitoring system operators, persons that sample and analyze feedstreams, persons that manage and charge feedstreams to the combustor, persons that operate emission control devices, and ash and waste handlers. Each training program shall be of a technical level commensurate with the person's job duties specified in the training manual. Each commensurate training program shall require an examination to be administered by the instructor at the end of the training course. Passing of this test shall be deemed the "certification" for personnel, except that for control room operators and shift supervisors, the training and certification program shall be as specified in paragraphs (c)(6)(iii) and (iv) of this section.

(ii) You must ensure that the source is operated and maintained at all times by persons who are trained and certified to perform these and any other duties that may affect emissions of hazardous air pollutants.

(iii) For hazardous waste incinerators, the training and certification program must conform to a state-approved training and certification program or, if there is no such state program, to the American Society of Mechanical Engineers Standard Number QHO-1-1994.

(iv) For hazardous waste burning cement and lightweight aggregate kilns, the training and certification program must be approved by the state or the Administrator, and must be complete and reliable and conform to principles of good operator and operating practices (including training and certification).

(v) You must record the operator training and certification program in the operating record.

## II. Operational Restrictions (continued)

**30.** 63.1206: continued

(c)(7) Operation and maintenance plan -- (i) General. (A) You must prepare and at all times operate according to an operation and maintenance plan that describes in detail procedures for operation, inspection, maintenance, and corrective measures for all components of the combustor, including associated pollution control equipment, that could affect emissions of regulated hazardous air pollutants.

(B) The plan must prescribe how you will operate and maintain the combustor in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels achieved during the comprehensive performance test.

(C) This plan ensures compliance with the operation and maintenance requirements of 63.6(e) and minimizes emissions of pollutants, automatic waste feed cutoffs, and malfunctions.

(D) You must record the plan in the operating record.

**31.** 40 CFR 63, Subpart DD:

63.683: General

(a) The general standards under this section apply to owners and operators of affected sources as designated in 63.680(c) of this subpart.

(b) Off-site material management units. (1) For each off-site material management unit that is part of an affected source, the owner or operator must meet the requirements in either paragraph (b)(1)(i), (b)(1)(ii), or (b)(1)(iii) of this section except for those off-site material management units exempted under paragraph (b)(2) of this section.

(i) The owner or operator controls air emissions from the off-site material management unit in accordance with the applicable standards specified in 63.685 through 63.689 of this subpart.

(ii) The owner or operator removes or destroys HAP in the off-site material before placing the material in the off-site material management unit by treating the material in accordance with the standards specified in 63.684 of this subpart.

(iii) The owner or operator determines before placing off-site material in the off-site material management unit that the average VOHAP concentration of the off-site material is less than 500 parts per million by weight (ppmw) at the point-of-delivery. The owner or operator must perform an initial determination of the average VOHAP concentration of the off-site material using the procedures specified in 63.694(b) of this subpart. This initial determination must be performed either before the first time any portion of the off-site material stream is placed in the unit or by the compliance date, whichever date is later. Thereafter, the owner or operator must review and update, as necessary, this determination at least once every calendar year following the date of the initial determination for the off-site material stream.

## **II. Operational Restrictions (continued)**

### **32. 63.683: continued**

(b)(2) An off-site material management unit is exempted from the requirements in paragraph (b)(1) of this section when the owner or operator meets one of the exemptions provided in paragraphs (b)(2)(i) through (b)(2)(iv) of this section as applicable to the unit.

(i) An off-site material management unit is exempted from the requirements in paragraph (b)(1) of this section if the off-site material management unit is also subject to another subpart under 40 CFR part 63 or 40 CFR part 61, and the owner or operator is controlling the HAP listed in Table 1 of this subpart that are emitted from the unit in compliance with the provisions specified in the other applicable subpart under part 61 or part 63.

(ii) At the discretion of the owner or operator, one or a combination of off-site material management units may be exempted from the requirements in paragraph (b)(1) of this section when these units meet the condition that the total annual quantity of HAP contained in the off-site material placed in the units exempted under this paragraph (b)(2)(ii) is less than 1 megagram per year. For the off-site material management units selected by the owner or operator to be exempted from the requirements in paragraph (b)(1) of this section, the owner or operator must meet the requirements in paragraphs (b)(2)(ii)(A) and (b)(2)(ii)(B) of this section. An owner or operator may change the off-site material management units selected to be exempted under this paragraph (b)(2)(ii) by preparing a new designation for the exempt-units as required by paragraph (b)(2)(ii)(A) of this section and performing a new determination as required by paragraph (b)(2)(ii)(B) of this section.

### **33. 63.683: continued**

(b)(2)(ii)(A) The owner or operator must designate each of the off-site material management units selected by the owner or operator to be exempt under paragraph (b)(2)(ii) of this section by either submitting to the Administrator a written notification identifying the exempt-units or permanently marking the exempt-units at the plant site. If an owner or operator chooses to prepare and submit a written notification, this notification must include a site plan, process diagram, or other appropriate documentation identifying each of the exempt-units. If an owner or operator chooses to permanently mark the exempt-units, each exempt-unit must be marked in such a manner that it can be readily identified as an exempt-unit from the other off-site material management units located at the plant site.

(B) The owner or operator must prepare an initial determination of the total annual HAP quantity in the off-site material placed in the units exempted under this paragraph (b)(2)(ii). This determination is based on the total quantity of the HAP listed in Table 1 of this subpart as determined at the point where the off-site material is placed in each exempted unit. The owner or operator must perform a new determination whenever the extent of changes to the quantity or composition of the off-site material placed in the exempted units could cause the total annual HAP content in the off-site material to exceed 1 megagram per year. The owner or operator must maintain documentation to support the most recent determination of the total annual HAP quantity. This documentation must include the basis and data used for determining the HAP content of the off-site material.

## II. Operational Restrictions (continued)

### 34. 63.683: continued

(b)(2)(iii) A tank or surface impoundment is exempted from the requirements in paragraph (b)(1) of this section if the unit is used for a biological treatment process that meets the requirements in either paragraph (b)(2)(iii)(A) or (b)(2)(iii)(B) of this section and the owner or operator complies with the monitoring requirements in 63.684(e)(4) of this subpart.

(A) The HAP biodegradation efficiency ( $R_{bio}$ ) for the biological treatment process is equal to or greater than 95 percent. The HAP biodegradation efficiency ( $R_{bio}$ ) shall be determined in accordance with the requirements of 63.694(h) of this subpart.

(B) The total actual HAP mass removal rate ( $MR_{bio}$ ) for the off-site material treated by the biological treatment process is equal to or greater than the required HAP mass removal rate (RMR) for the off-site material. The total actual HAP mass removal rate ( $MR_{bio}$ ) must be determined in accordance with the requirements of 63.694(i) of this subpart. The required HAP mass removal rate (RMR) must be determined in accordance with the requirements of 63.694(e) of this subpart.

(iv) An off-site material management unit is exempted from the requirements in paragraph (b)(1) of this section if the off-site material placed in the unit is a hazardous waste that meets the conditions specified in either paragraph (b)(2)(iv)(A) or (b)(2)(iv)(B) of this section.

(A) The hazardous waste meets the numerical organic concentration limits, applicable to the hazardous waste, as specified in 40 CFR part 268 -- Land Disposal Restrictions, listed in the table, "Treatment Standards for Hazardous Waste" in 40 CFR 268.40.

(B) The organic hazardous constituents in the hazardous waste have been treated by the treatment technology established by the EPA for the hazardous waste in 40 CFR 268.42(a), or have been removed or destroyed by an equivalent method of treatment approved by the EPA under 40 CFR 268.42(b).

### 35. 63.683: continued

(b)(2)(v) A tank used for bulk feed of off-site material to a waste incinerator is exempted from the requirements specified in paragraph (b)(1) of this section if the tank meets all of the conditions specified in paragraphs (b)(2)(v)(A) through (b)(2)(v)(C) of this section.

(A) The tank is located inside an enclosure vented to a control device that is designed and operated in accordance with all applicable requirements specified under 40 CFR part 61, subpart FF -- National Emission Standards for Benzene Waste Operations for a facility at which the total annual benzene quantity from the facility waste is equal to or greater than 10 megagrams per year;

(B) The enclosure and control device serving the tank were installed and began operation prior to July 1, 1996; and

(C) The enclosure is designed and operated in accordance with the criteria for a permanent total enclosure as specified in "Procedure T -- Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, appendix B. The enclosure may have permanent or temporary openings to allow worker access; passage of material into or out of the enclosure by conveyor, vehicles, or other mechanical or electrical equipment; or to direct air flow into the enclosure. The owner or operator must annually perform the verification procedure for the enclosure as specified in Section 5.0 to "Procedure T -- Criteria for and Verification of a Permanent or Temporary Total Enclosure."

(c) Process vents. (1) For each process vent that is part of an affected source, the owner or operator must meet the requirements in either paragraph (c)(1)(i) or (c)(1)(ii) of this section except for those process vents exempted under paragraph (c)(2) of this section.

(i) The owner or operator controls air emissions from the process vent in accordance with the standards specified in 63.690 of this subpart.

## II. Operational Restrictions (continued)

### 36. 63.683: continued

(c)(1)(ii) The owner or operator determines before placing off-site material in the process equipment associated with the process vent that the average VOHAP concentration of the off-site material is less than ppmw at the point-of-delivery. The owner or operator must perform an initial determination of the average VOHAP concentration of the off-site material using the procedures specified in 63.694(b) of this subpart before any portion of the off-site material stream is placed in the unit. Thereafter, the owner or operator must review and update, as necessary, this determination at least once every calendar year following the date of the initial determination for the off-site material stream.

(2) A process vent is exempted from the requirements of paragraph (c)(1) of this section when the owner or operator meets one of the exemptions provided in paragraphs (c)(2)(i) through (c)(2)(iii) of this section.

(i) A process vent is exempted from the requirements in paragraph (c)(1) of this section if the process vent is also subject to another subpart under part 63 or 40 CFR part 61, and the owner or operator is controlling the HAP listed in Table 1 of this subpart that are emitted from the process vent in compliance with the provisions specified in the other applicable subpart under part 61 or part 63.

### 37. 63.683: continued

(c)(2)(ii) A process vent is exempted from the requirements specified in paragraph (c)(1) of this section if the owner or operator determines that the process vent stream flow rate is less than 0.005 cubic meters per minute (m<sup>3</sup>/min) at standard conditions (as defined in 40 CFR 63.2). The process vent stream flow rate shall be determined in accordance with the procedures specified in 63.694(m) of this subpart. Documentation must be prepared by the owner or operator and maintained at the plant site to support the determination of the process vent stream flow rate. This documentation must include identification of each process vent exempted under this paragraph and the test results used to determine the process vent stream flow rate.

(iii) A process vent is exempted from the requirements specified in paragraph (c)(1) of this section if the owner or operator determines that the process vent stream flow rate is less than 6.0 m<sup>3</sup>/min at standard conditions (as defined in 40 CFR 63.2) and the total HAP concentration is less than 20 ppmv. The process vent stream flow rate and total HAP concentration shall be determined in accordance with the procedures specified in 63.694(m) of this subpart. Documentation must be prepared by the owner or operator and maintained at the plant site to support the determination of the process vent stream flow rate and total HAP concentration. This documentation must include identification of each process vent exempted under this paragraph (c)(2)(iii) and the test results used to determine the process vent stream flow rate and total HAP concentration. The owner or operator must perform a new determination of the process vent stream flow rate and total HAP concentration when the extent of changes to operation of the unit on which the process vent is used could cause either the process vent stream flow rate to exceed the limit of 6.0 m<sup>3</sup>/min or the total HAP concentration to exceed the limit of 20 ppmv.

### 38. 63.683: continued

(d) Equipment leaks. The owner or operator must control equipment leaks from each equipment component that is part of the affected source specified in 63.680(c)(3) of this subpart by implementing leak detection and control measures in accordance with the standards specified in 63.691 of this subpart.

## II. Operational Restrictions (continued)

### 39. 40 CFR 63, Subpart DD:

#### 63.684: Off-site material treatment

(a) The provisions of this section apply to the treatment of off-site material to remove or destroy HAP for which 63.683(b)(1)(ii) of this subpart references the requirements of this section for such treatment.

(b) The owner or operator shall remove or destroy the HAP contained in off-site material streams to be managed in the off-site material management unit in accordance with 63.683(b)(1)(ii) of this subpart using a treatment process that continuously achieves, under normal operations, one or more of the performance levels specified in paragraphs (b)(1) through (b)(5) of this section (as applicable to the type of treatment process) for the range of off-site material stream compositions and quantities expected to be treated.

(1) VOHAP concentration. The treatment process shall reduce the VOHAP concentration of the off-site material using a means, other than by dilution, to achieve one of the following performance levels, as applicable:

(i) In the case when every off-site material stream entering the treatment process has an average VOHAP concentration equal to or greater than 500 ppmw at the point-of-delivery, then the VOHAP concentration of the off-site material shall be reduced to a level that is less than 500 ppmw at the point-of-treatment.

(ii) In the case when off-site material streams entering the treatment process are a mixture of off-site material streams having an average VOHAP concentration equal to or greater than 500 ppmw at the point-of-delivery with off-site material streams having average VOHAP concentrations less than 500 ppmw at the point-of-delivery, then the VOHAP concentration of the off-site material must be reduced to a level at the point-of-treatment that meets the performance level specified in either paragraph (b)(1)(ii)(A) or (B) of this section.

### 40. 63.684: continued

(b)(1)(ii) (A) Less than the VOHAP concentration limit (CR) established for the treatment process using the procedure specified in 63.694(d); or

(B) Less than the lowest VOHAP concentration determined for each of the off-site material streams entering the treatment process as determined by the VOHAP concentration of the off-site material at the point-of-delivery.

(2) HAP mass removal. The treatment process shall achieve a performance level such that the total quantity of HAP actually removed from the off-site material stream (MR) is equal to or greater than the required mass removal (RMR) established for the off-site material stream using the procedure specified in 63.694(e) of this subpart. The MR for the off-site material streams shall be determined using the procedures specified in 63.694(f) of this subpart.

(3) HAP reduction efficiency. For any treatment process except a treatment process that uses biological degradation and is performed in an open tank or surface impoundment, the treatment process must achieve the applicable performance level specified in either paragraph (b)(3)(i) or (b)(3)(ii) of this section.

(i) In the case when the owner or operator determines that off-site material stream entering the treatment process has an average VOHAP concentration less than 10,000 ppmw at the point-of-delivery, then the treatment process shall achieve a performance level such that the total quantity of HAP in the off-site material stream is reduced by 95 percent or more. The HAP reduction efficiency (R) for the treatment process shall be determined using the procedure specified in 63.694(g) of this subpart. The average VOHAP concentration of the off-site material stream at the point-of-delivery shall be determined using the procedure specified in 63.694(b) of this subpart.

## II. Operational Restrictions (continued)

### 41. 63.684: continued

(b)(3)(ii) In the case when the off-site material stream entering the treatment process has an average VOHAP concentration equal to or greater than 10,000 ppmw at the point-of-delivery, then the treatment process shall achieve a performance level such that the total quantity of HAP in the off-site material stream is reduced by 95 percent or more, and the average VOHAP concentration of the off-site material at the point-of-treatment is less than 100 parts per million by weight (ppmw). The HAP reduction efficiency (R) for the treatment process shall be determined using the procedure specified in 63.694(g) of this subpart. The average VOHAP concentration of the off-site material stream at the point-of-treatment shall be determined using the procedure specified in 63.694(c) of this subpart.

(4) Biological degradation performed in an open tank or surface impoundment. A treatment process using biological degradation and performed in an open tank or surface impoundment must achieve the performance level specified in either paragraph (b)(4)(i) or (b)(4)(ii) of this section.

(i) The HAP reduction efficiency (R) for the treatment process is equal to or greater than 95 percent, and the HAP biodegradation efficiency (R<sub>bio</sub>) for the treatment process is equal to or greater than 95 percent. The HAP reduction efficiency (R) shall be determined using the procedure specified in 63.694(g) of this subpart. The HAP biodegradation efficiency (R<sub>bio</sub>) shall be determined in accordance with the requirements of 63.694(h) of this subpart.

### 42. 63.684: continued

(b)(4)(ii) The total quantity of HAP actually removed from the off-site material stream by biological degradation (MR<sub>bio</sub>) shall be equal to or greater than the required mass removal (RMR) established for the off-site material stream using the procedure specified in 63.694(e) of this subpart. The MR<sub>bio</sub> of the off-site material stream shall be determined using the procedures specified in 63.694(i) of this subpart.

(5) Incineration. The treatment process must destroy the HAP contained in the off-site material stream using one of the combustion devices specified in paragraphs (b)(5)(i) through (b)(5)(iv) of this section.

(i) An incinerator for which the owner or operator has been issued a final permit under 40 CFR part 270, and the incinerator is designed and operated in accordance with the requirements of 40 CFR part 264, subpart O -- Incinerators, or

(ii) An incinerator for which the owner or operator has certified compliance with the interim status requirements of 40 CFR part 265, subpart O -- Incinerators.

(iii) A boiler or industrial furnace for which the owner or operator has been issued a final permit under 40 CFR part 270, and the combustion unit is designed and operated in accordance with the requirements of 40 CFR part 266, subpart H -- Hazardous Waste Burned in Boilers and Industrial Furnaces.

(iv) A boiler or industrial furnace for which the owner or operator has certified compliance with the interim status requirements of 40 CFR part 266, subpart H Hazardous Waste Burned in Boilers and Industrial Furnaces.

## II. Operational Restrictions (continued)

### 43. 63.684: continued

(c) For a treatment process that removes the HAP from the off-site material by a means other than thermal destruction or biological degradation to achieve one of the performance levels specified in paragraph (b)(1), (b)(2), or (b)(3) of this section, the owner or operator shall manage the HAP removed from the off-site material in such a manner to minimize release of these HAP to the atmosphere, to the extent practical. Examples of HAP emission control measures that meet the requirements of this paragraph include managing the HAP removed from the off-site material in units that use air emission controls in accordance with the standards specified in 63.685 through 63.689 of this subpart, as applicable to the unit.

(d) When the owner or operator treats the off-site material to meet one of the performance levels specified in paragraphs (b)(1) through (b)(4) of this section, the owner or operator shall demonstrate that the treatment process achieves the selected performance level for the range of expected off-site material stream compositions expected to be treated. An initial demonstration shall be performed as soon as possible but no later than 30 days after first time an owner or operator begins using the treatment process to manage off-site material streams in accordance with the requirements of either 63.683(b)(1)(ii) or 63.683(b)(2)(ii) of this subpart as applicable to the affected off-site material management unit or process equipment. Thereafter, the owner or operator shall review and update, as necessary, this demonstration at least once every calendar year following the date of the initial demonstration.

### 44. 63.684: continued

(e) When the owner or operator treats the off-site material to meet one of the performance levels specified in paragraphs (b)(1) through (b)(4) of this section, the owner or operator shall ensure that the treatment process is achieving the applicable performance requirements by continuously monitoring the operation of the process when it is used to treat off-site material by complying with paragraphs (e)(1) through (e)(3) or, for biological treatment units, paragraph (e)(4) of this section:

(1) A continuous monitoring system shall be installed and operated for each treatment that measures operating parameters appropriate for the treatment process technology. This system shall include a continuous recorder that records the measured values of the selected operating parameters. The monitoring equipment shall be installed, calibrated, and maintained in accordance with the equipment manufacturer's specifications or other written procedures that provide reasonable assurance that the monitoring equipment is operating properly. The continuous recorder shall be a data recording device that records either an instantaneous data value at least once every 15 minutes or an average value for intervals of 15 minutes or less.

(2) For each monitored operating parameter, the owner or operator shall establish a minimum operating parameter value or a maximum operating parameter value, as appropriate, to define the range of conditions at which the treatment process must be operated to continuously achieve the applicable performance requirements of this section.

## II. Operational Restrictions (continued)

### 45. 63.684: continued

(e)(3) When the treatment process is operating to treat off-site material, the owner or operator shall inspect the data recorded by the continuous monitoring system on a routine basis and operate the treatment process such that the actual value of each monitored operating parameter is greater than the minimum operating parameter value or less than the maximum operating parameter value, as appropriate, established for the treatment process.

(4) When the treatment process is a biological treatment process that is complying with paragraph (b)(4) of this section, the owner or operator must establish and implement a written procedure to monitor the appropriate parameters that demonstrate proper operation of the biological treatment unit in accordance with the evaluation required in 63.694(h) of this subpart. The written procedure must list the operating parameters that will be monitored and state the frequency of monitoring to ensure that the biological treatment unit is operating between the minimum operating parameter values and maximum operating parameter values to establish that the biological treatment unit is continuously achieving the performance requirement.

(f) The owner or operator must maintain records for each treatment process in accordance with the requirements of 63.696(a) of this subpart.

(g) The owner or operator must prepare and submit reports for each treatment process in accordance with the requirements of 63.697(a) of this subpart.

(h) The Administrator may at any time conduct or request that the owner or operator conduct testing necessary to demonstrate that a treatment process is achieving the applicable performance requirements of this section. The testing shall be conducted in accordance with the applicable requirements of this section. The Administrator may elect to have an authorized representative observe testing conducted by the owner or operator.

### 46. 40 CFR 63, Subpart DD:

#### 63.685: Tanks

(a) The provisions of this section apply to the control of air emissions from tanks for which 63.683(b)(1)(i) of this subpart references the use of this section for such air emission control.

(b) The owner or operator shall control air emissions from each tank subject to this section in accordance with the following applicable requirements:

(1) For a tank that is part of an existing affected source but the tank is not used to manage off-site material having a maximum HAP vapor pressure kilopascal (kPa) that is equal to or greater than 76.6 kPa nor is the tank used for a waste stabilization process as defined in 63.681 of this subpart, the owner or operator shall determine whether the tank is required to use either Tank Level 1 controls or Tank Level 2 controls as specified for the tank by Table 3 of this subpart based on the off-site material maximum HAP vapor pressure and the tank's design capacity. The owner or operator shall control air emissions from a tank required by Table 3 to use Tank Level 1 controls in accordance with the requirements of paragraph (c) of this section. The owner or operator shall control air emissions from a tank required by Table 3 to use Tank Level 2 controls in accordance with the requirements of paragraph (d) of this section.

## II. Operational Restrictions (continued)

### 47. 63.685: continued

(b)(2) For a tank that is part of a new affected source but the tank is not used to manage off-site material having a maximum HAP vapor pressure that is equal to or greater than 76.6 kPa nor is the tank used for a waste stabilization process as defined in 63.681 of this subpart, the owner or operator shall determine whether the tank is required to use either Tank Level 1 controls or Tank Level 2 controls as specified for the tank by Table 4 of this subpart based on the off-site material maximum HAP vapor pressure and the tank's design capacity. The owner or operator shall control air emissions from a tank required by Table 4 to use Tank Level 1 controls in accordance with the requirements of paragraph (c) of this section. The owner or operator shall control air emissions from a tank required by Table 4 to use Tank Level 2 controls in accordance with the requirements of paragraph (d) of this section.

(3) For a tank that is used for a waste stabilization process, the owner or operator shall control air emissions from the tank by using Tank Level 2 controls in accordance with the requirements of paragraph (d) of this section.

(4) For a tank that manages off-site material having a maximum HAP vapor pressure that is equal to or greater than 76.6 kPa, the owner or operator must control air emissions by using one of the tanks specified in paragraphs (b)(4)(i) through (b)(4)(iii) of this section.

(i) A tank vented through a closed-vent system to a control device in accordance with the requirements specified in paragraph (g) of this section;

(ii) A pressure tank designed and operated in accordance with the requirements specified in paragraph (h) of this section; or

### 48. 63.685: continued

(b)(4)(iii) A tank located inside an enclosure that is vented through a closed-vent system to an enclosed combustion control device in accordance with the requirements specified in paragraph (i) of this section.

(c) Owners and operators controlling air emissions from a tank using Tank Level 1 controls shall meet the following requirements:

(1) The owner or operator shall determine the maximum HAP vapor pressure for an off-site material to be managed in the tank using Tank Level 1 controls before the first time the off-site material is placed in the tank. The maximum HAP vapor pressure shall be determined using the procedures specified in 63.694(j) of this subpart. Thereafter, the owner or operator shall perform a new determination whenever changes to the off-site material managed in the tank could potentially cause the maximum HAP vapor pressure to increase to a level that is equal to or greater than the maximum HAP vapor pressure limit for the tank design capacity category specified in Table 3 or Table 4 of this subpart, as applicable to the tank.

(2) The owner or operator must control air emissions from the tank in accordance with the requirements in either paragraph (c)(2)(i), (c)(2)(ii), or (c)(2)(iii) of this section, as applicable to the tank.

(i) The owner or operator controls air emissions from the tank in accordance with the provisions specified in subpart 00 of 40 CFR part 63 -- National Emission Standards for Tanks -- Level 1.

(ii) As an alternative to meeting the requirements in paragraph (c)(2)(i) of this section, an owner or operator may control air emissions from the tank in accordance with the provisions for Tank Level 2 controls as specified in paragraph (d) of this section.

## II. Operational Restrictions (continued)

### 49. 63.685: continued

(c)(2)(iii) As an alternative to meeting the requirements in paragraph (c)(2)(i) of this section when a tank is used as an interim transfer point to transfer off-site material from containers to another off-site material management unit, an owner or operator may control air emissions from the tank in accordance with the requirements in paragraphs (c)(2)(iii)(A) and (c)(2)(iii)(B) of this section. An example of such a tank is an in-ground tank into which organic-contaminated debris is dumped from roll-off boxes or dump trucks, and then this debris is promptly transferred from the tank to a macroencapsulation unit by a backhoe.

(A) During those periods of time when the material transfer activity is occurring, the tank may be operated without a cover.

(B) At all other times, air emissions from the tank must be controlled in accordance with the provisions specified in 40 CFR part 67, subpart 00 -- National Emission Standards for Tanks -- Level 1.

(d) Owners and operators controlling air emissions from a tank using Tank Level 2 controls shall use one of the following tanks:

(1) A fixed-roof tank equipped with an internal floating roof in accordance with the requirements specified in paragraph (e) of this section;

(2) A tank equipped with an external floating roof in accordance with the requirements specified in paragraph (f) of this section;

(3) A tank vented through a closed-vent system to a control device in accordance with the requirements specified in paragraph (g) of this section;

(4) A pressure tank designed and operated in accordance with the requirements specified in paragraph (h) of this section; or

(5) A tank located inside an enclosure that is vented through a closed-vent system to an enclosed combustion control device in accordance with the requirements specified in paragraph (i) of this section.

## II. Operational Restrictions (continued)

### 50. 63.685: continued

(e) The owner or operator who elects to control air emissions from a tank using a fixed-roof with an internal floating roof shall meet the requirements specified in paragraphs (e)(1) through (e)(3) of this section.

(1) The tank shall be equipped with a fixed roof and an internal floating roof in accordance with the following requirements:

(i) The internal floating roof shall be designed to float on the liquid surface except when the floating roof must be supported by the leg supports.

(ii) The internal floating roof shall be equipped with a continuous seal between the wall of the tank and the floating roof edge that meets either of the following requirements:

(A) A single continuous seal that is either a liquid-mounted seal or a metallic shoe seal, as defined in 63.681 of this subpart; or

(B) Two continuous seals mounted one above the other. The lower seal may be a vapor-mounted seal.

(iii) The internal floating roof shall meet the following specifications:

(A) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

(B) Each opening in the internal floating roof shall be equipped with a gasketed cover or a gasketed lid except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains.

(C) Each penetration of the internal floating roof for the purpose of sampling shall have a slit fabric cover that covers at least 90 percent of the opening.

(D) Each automatic bleeder vent and rim space vent shall be gasketed.

(E) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

## II. Operational Restrictions (continued)

### 51. 63.685: continued

(e)(1)(iii)(F) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

(2) The owner or operator shall operate the tank in accordance with the following requirements:

(i) When the floating roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as soon as practical.

(ii) Automatic bleeder vents are to be set closed at all times when the roof is floating, except when the roof is being floated off or is being landed on the leg supports.

(iii) Prior to filling the tank, each cover, access hatch, gauge float well or lid on any opening in the internal floating roof shall be bolted or fastened closed (i.e., no visible gaps). Rim spaces vents are to be set to open only when the internal floating roof is not floating or when the pressure beneath the rim exceeds the manufacturer's recommended setting.

(3) The owner or operator shall inspect the internal floating roof in accordance with the procedures specified in 63.695(b) of this subpart.

(f) The owner or operator who elects to control tank emissions by using an external floating roof shall meet the requirements specified in paragraphs (f)(1) through (f)(3) of this section.

(1) The owner or operator shall design the external floating roof in accordance with the following requirements:

(i) The external floating roof shall be designed to float on the liquid surface except when the floating roof must be supported by the leg supports.

(ii) The floating roof shall be equipped with two continuous seals, one above the other, between the wall of the tank and the roof edge. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal.

## II. Operational Restrictions (continued)

### 52. 63.685: continued

(f)(1)(ii)(A) The primary seal shall be a liquid-mounted seal or a metallic shoe seal, as defined in 63.681 of this subpart. The total area of the gaps between the tank wall and the primary seal shall not exceed 212 square centimeters (cm<sup>2</sup>) per meter of tank diameter, and the width of any portion of these gaps shall not exceed 3.8 centimeters (cm). If a metallic shoe seal is used for the primary seal, the metallic shoe seal shall be designed so that one end extends into the liquid in the tank and the other end extends a vertical distance of at least 61 centimeters (24 inches) above the liquid surface.

(B) The secondary seal shall be mounted above the primary seal and cover the annular space between the floating roof and the wall of the tank. The total area of the gaps between the tank wall and the secondary seal shall not exceed 21.2 square centimeters (cm<sup>2</sup>) per meter of tank diameter, and the width of any portion of these gaps shall not exceed 1.3 centimeters (cm).

(iii) The external floating roof shall meet the following specifications:

(A) Except for automatic bleeder vents (vacuum breaker vents) and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface.

(B) Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof shall be equipped with a gasketed cover, seal, or lid.

(C) Each access hatch and each gauge float wells shall be equipped with covers designed to be bolted or fastened when the cover is secured in the closed position.

(D) Each automatic bleeder vent and each rim space vents shall be equipped with a gasket.

(E) Each roof drain that empties into the liquid managed in the tank shall be equipped with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

## II. Operational Restrictions (continued)

### 53. 63.685: continued

(f)(1)(iii)(F) Each unslotted and slotted guide pole well shall be equipped with a gasketed sliding cover or a flexible fabric sleeve seal.

(G) Each unslotted guide pole shall be equipped with a gasketed cap on the end of the pole.

(H) Each slotted guide pole shall be equipped with a gasketed float or other device which closes off the surface from the atmosphere.

(I) Each gauge hatch and each sample well shall be equipped with a gasketed cover.

(2) The owner or operator shall operate the tank in accordance with the following requirements:

(i) When the floating roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as soon as practical.

(ii) Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof shall be secured and maintained in a closed position at all times except when the closure device must be open for access.

(iii) Covers on each access hatch and each gauge float well shall be bolted or fastened when secured in the closed position.

(iv) Automatic bleeder vents shall be set closed at all times when the roof is floating, except when the roof is being floated off or is being landed on the leg supports.

(v) Rim space vents shall be set to open only at those times that the roof is being floated off the roof leg supports or when the pressure beneath the rim seal exceeds the manufacturer's recommended setting.

(vi) The cap on the end of each unslotted guide pole shall be secured in the closed position at all times except when measuring the level or collecting samples of the liquid in the tank.

(vii) The cover on each gauge hatch or sample well shall be secured in the closed position at all times except when the hatch or well must be opened for access.

### 54. 63.685: continued

(f)(3) The owner or operator shall inspect the external floating roof in accordance with the procedures specified in 63.695(b) of this subpart.

(g) The owner or operator who controls tank air emissions by venting to a control device shall meet the requirements specified in paragraphs (g)(1) through (g)(3) of this section.

(1) The tank shall be covered by a fixed roof and vented directly through a closed-vent system to a control device in accordance with the following requirements:

(i) The fixed roof and its closure devices shall be designed to form a continuous barrier over the entire surface area of the liquid in the tank.

(ii) Each opening in the fixed roof not vented to the control device shall be equipped with a closure device. If the pressure in the vapor headspace underneath the fixed roof is less than atmospheric pressure when the control device is operating, the closure devices shall be designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the cover opening and the closure device. If the pressure in the vapor headspace underneath the fixed roof is equal to or greater than atmospheric pressure when the control device is operating, the closure device shall be designed to operate with no detectable organic emissions.

## II. Operational Restrictions (continued)

### 55. 63.685: continued

(g)(1)(iii) The fixed roof and its closure devices shall be made of suitable materials that will minimize exposure of the off-site material to the atmosphere, to the extent practical, and will maintain the integrity of the equipment throughout its intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices shall include: organic vapor permeability, the effects of any contact with the liquid and its vapor managed in the tank; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.

(iv) The closed-vent system and control device shall be designed and operated in accordance with the requirements of 63.693 of this subpart.

(2) Whenever an off-site material is in the tank, the fixed roof shall be installed with each closure device secured in the closed position and the vapor headspace underneath the fixed roof vented to the control device except as follows:

(i) Venting to the control device is not required, and opening of closure devices or removal of the fixed roof is allowed at the following times:

(A) To provide access to the tank for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample liquid in the tank, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable, to the tank.

(B) To remove accumulated sludge or other residues from the bottom of the tank.

(ii) Opening of a safety device, as defined in 63.681 of this subpart, is allowed at any time conditions require it to do so to avoid an unsafe condition.

### 56. 63.685: continued

(g)(3) The owner or operator shall inspect and monitor the air emission control equipment in accordance with the procedures specified in 63.695 of this subpart.

(h) The owner or operator who elects to control tank air emissions by using a pressure tank shall meet the following requirements.

(1) The tank shall be designed not to vent to the atmosphere as a result of compression of the vapor headspace in the tank during filling of the tank to its design capacity.

(2) All tank openings shall be equipped with closure devices designed to operate with no detectable organic emissions as determined using the procedure specified in 63.694(k) of this subpart.

(3) Whenever an off-site material is in the tank, the tank shall be operated as a closed system that does not vent to the atmosphere except under either of the following conditions as specified in paragraph (h)(3)(i) or (h)(3)(ii) of this section.

(i) At those times when opening of a safety device, as defined in 63.681 of this subpart, is required to avoid an unsafe condition.

(ii) At those times when purging of inerts from the tank is required and the purge stream is routed to a closed-vent system and control device designed and operated in accordance with the requirements of 63.693 of this subpart.

(i) The owner or operator who elects to control air emissions by using an enclosure vented through a closed-vent system to an enclosed combustion control device shall meet the requirements specified in paragraphs (i)(1) through (4) of this section.

## II. Operational Restrictions (continued)

**57.** 63.685: continued

(i)(1) The tank shall be located inside an enclosure. The enclosure shall be designed and operated in accordance with the criteria for a permanent total enclosure as specified in "Procedure T -- Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, Appendix B. The enclosure may have permanent or temporary openings to allow worker access; passage of material into or out of the enclosure by conveyor, vehicles, or other mechanical means; entry of permanent mechanical or electrical equipment; or to direct airflow into the enclosure. The owner or operator shall perform the verification procedure for the enclosure as specified in Section 5.0 to "Procedure T -- Criteria for and Verification of a Permanent or Temporary Total Enclosure" initially when the enclosure is first installed and, thereafter, annually.

(2) The enclosure shall be vented through a closed-vent system to an enclosed combustion control device that is designed and operated in accordance with the standards for either a vapor incinerator, boiler, or process heater specified in 63.693 of this subpart.

(3) Opening of a safety device, as defined in 63.681 of this subpart, is allowed at any time conditions require it to do so to avoid an unsafe condition.

(4) The owner or operator shall inspect and monitor the closed-vent system and control device as specified in 63.693.

**58.** 40 CFR 63, Subpart DD:

63.686: Oil-water and organic-water separators

(a) The provisions of this section apply to the control of air emissions from oil-water separators and organic-water separators for which 63.683(b)(1)(i) of this subpart references the use of this section for such air emission control.

(b) The owner or operator shall control air emissions from each separator subject to this section by using one of the following:

(1) A floating roof in accordance with all applicable provisions specified in 40 CFR 63 subpart VV -- National Emission Standards for Oil-Water Separators and Organic-Water Separators. For portions of the separator where it is infeasible to install and operate a floating roof, such as over a weir mechanism, the owner or operator shall comply with the requirements specified in paragraph (b)(2) of this section.

(2) A fixed-roof that is vented through a closed-vent system to a control device in accordance with all applicable provisions specified in 40 CFR 63 subpart VV -- National Emission Standards for Oil-Water Separators and Organic-Water Separators.

(3) A pressurized separator that operates as a closed system in accordance with all applicable provisions specified in 40 CFR part 63, subpart VV -- National Emission Standards for Oil-Water Separators and Organic-Water Separators.

## II. Operational Restrictions (continued)

**59.** 40 CFR 63, Subpart DD:

63.687: Surface impoundments

(a) The provisions of this section apply to the control of air emissions from surface impoundments for which 63.683(b)(1)(i) of this subpart references the use of this section for such air emission control.

(b) The owner or operator shall control air emissions from each surface impoundment subject to this section by using one of the following:

(1) A floating membrane cover in accordance with the applicable provisions specified in 40 CFR 63 subpart QQ -- National Emission Standards for Surface Impoundments; or

(2) A cover that is vented through a closed-vent system to a control device in accordance with all applicable provisions specified in 40 CFR 63 subpart QQ -- National Emission Standards for Surface Impoundments.

**60.** 40 CFR 63, Subpart DD:

63.688: Containers

(a) The provisions of this section apply to the control of air emissions from containers for which 63.683(b)(1)(i) of this subpart references the use of this section for such air emission control.

(b) The owner or operator shall control air emissions from each container subject to this section in accordance with the following requirements, as applicable to the container, except when the special provisions for waste stabilization processes specified in paragraph (c) of this section apply to the container.

(1) For a container having a design capacity greater than 0.1 m<sup>3</sup> and less than or equal to 0.46 m<sup>3</sup>, the owner or operator must control air emissions from the container in accordance with the requirements in either paragraph (b)(1)(i) or (b)(1)(ii) of this section.

(i) The owner or operator controls air emissions from the container in accordance with the standards for Container Level 1 controls as specified in 40 CFR part 63, subpart PP -- National Emission Standards for Containers.

(ii) As an alternative to meeting the requirements in paragraph (b)(1)(i) of this section, an owner or operator may choose to control air emissions from the container in accordance with the standards for either Container Level 2 controls or Container Level 3 controls as specified in subpart PP of this part 63 -- National Emission Standards for Containers.

(2) For a container having a design capacity greater than 0.46 m<sup>3</sup> and the container is not in light-material service as defined in 63.681 of this subpart, the owner or operator must control air emissions from the container in accordance with the requirements in either paragraph (b)(1)(i) or (b)(1)(ii) of this section.

## II. Operational Restrictions (continued)

### 61. 63.688: continued

(b)(3) For a container having a design capacity greater than 0.46 m<sup>3</sup> and the container is in light-material service as defined in 63.681 of this subpart, the owner or operator must control air emissions from the container in accordance with the requirements in either paragraph (b)(3)(i) or (b)(3)(ii) of this section.

(i) The owner or operator controls air emissions from the container in accordance with the standards for Container Level 2 controls as specified in 40 CFR part 63, subpart PP -- National Emission Standards for Containers.

(ii) As an alternative to meeting the requirements in paragraph (b)(3)(i) of this section, an owner or operator may choose to control air emissions from the container in accordance with the standards for Container Level 3 controls as specified in 40 CFR part 63, subpart PP -- National Emission Standards for Containers.

(c) When a container subject to this subpart and having a design capacity greater than 0.1 m<sup>3</sup> is used for treatment of an off-site material by a waste stabilization process as defined in 63.681 of this subpart, the owner or operator shall control air emissions from the container at those times during the process when the off-site material in the container is exposed to the atmosphere in accordance with the standards for Container Level 3 controls as specified in 40 CFR part 63, subpart PP -- National Emission Standards for Containers.

### 62. 40 CFR 63, Subpart DD:

#### 63.689: Transfer systems

(a) The provisions of this section apply to the control of air emissions from transfer systems for which 63.683(b)(1)(i) of this subpart references the use of this section for such air emission control.

(b) For each transfer system that is subject to this section and is an individual drain system, the owner or operator shall control air emissions in accordance with the standards specified in 40 CFR part 63, subpart RR -- National Emission Standards for Individual Drain Systems.

(c) For each transfer system that is subject to this section but is not an individual drain system, the owner or operator shall control air emissions by using one of the transfer systems specified in paragraphs (c)(1) through (c)(3) of this section.

(1) A transfer system that uses covers in accordance with the requirements specified in paragraph (d) of this section.

(2) A transfer system that consists of continuous hard-piping. All joints or seams between the pipe sections shall be permanently or semi-permanently sealed (e.g., a welded joint between two sections of metal pipe or a bolted and gasketed flange).

(3) A transfer system that is enclosed and vented through a closed-vent system to a control device in accordance with the requirements specified in paragraphs (c)(3)(i) and (c)(3)(ii) of this section.

(i) The transfer system is designed and operated such that an internal pressure in the vapor headspace in the enclosure is maintained at a level less than atmospheric pressure when the control device is operating, and

(ii) The closed-vent system and control device are designed and operated in accordance with the requirements of 63.693 of this subpart.

## **II. Operational Restrictions (continued)**

### **63. 63.689: continued**

(d) Owners and operators controlling air emissions from a transfer system using covers in accordance with the provisions of paragraph (c)(1) of this section shall meet the requirements specified in paragraphs (d)(1) through (d)(6) of this section.

(1) The cover and its closure devices shall be designed to form a continuous barrier over the entire surface area of the off-site material as it is conveyed by the transfer system except for the openings at the inlet and outlet to the transfer system through which the off-site material passes. The inlet and outlet openings used for passage of the off-site material through the transfer system shall be the minimum size required for practical operation of the transfer system.

(2) The cover shall be installed in a manner such that there are no visible cracks, holes, gaps, or other open spaces between cover section joints or between the interface of the cover edge and its mounting.

(3) Except for the inlet and outlet openings to the transfer system through which the off-site material passes, each opening in the cover shall be equipped with a closure device designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the opening and the closure device.

### **64. 63.689: continued**

(d)(4) The cover and its closure devices shall be made of suitable materials that will minimize exposure of the off-site material to the atmosphere, to the extent practical, and will maintain the integrity of the equipment throughout its intended service life. Factors to be considered when selecting the materials for and designing the cover and closure devices shall include: organic vapor permeability; the effects of any contact with the material or its vapors conveyed in the transfer system; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the transfer system on which the cover is installed.

(5) Whenever an off-site material is in the transfer system, the cover shall be installed with each closure device secured in the closed position except as specified in paragraph (d)(5)(i) or (d)(5)(ii) of this section.

(i) Opening of closure devices or removal of the cover is allowed to provide access to the transfer system for performing routine inspection, maintenance, repair, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a hatch or remove the cover to repair conveyance equipment mounted under the cover or to clear a blockage of material inside the system. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable.

(ii) Opening of a safety device, as defined in 63.681 of this subpart, is allowed at any time conditions require it to do so to avoid an unsafe condition.

(6) The owner or operator shall inspect the air emission control equipment in accordance with the requirements specified in 63.695 of this subpart.

## **III. Monitoring and/or Record Keeping Requirements**

### **1. Temperature Monitoring and Record Keeping**

The permittee shall monitor and record the following:

a. the thermocouple located in the secondary combustion chamber at a point downstream of the point where secondary combustion air is introduced shall be operated and continuously monitored and recorded at all times while the incinerator is in operation; and

b. a controlled feed device shall be operated and maintained on the incinerator to maintain the required minimum temperature.

### **III. Monitoring and/or Record Keeping Requirements (continued)**

#### **2. Flow Rate Restriction and Monitoring Requirements**

The permittee shall monitor and record the total exhaust gas volumetric flow through the incineration system on a continuous basis. The total exhaust gas volumetric flow shall be determined by the annubar (differential pressure pitot tube) or other flow monitoring equipment.

#### **3. Scrubber Monitoring and Record Keeping Requirements**

The permittee shall operate and maintain a continuous scrubber liquor pH monitor and recorder which measures and records the scrubber liquor pH when the scrubber is in operation on a continuous basis. The pH monitor and recorder shall be installed, calibrated, operated and maintained in accordance with the manufacturer's recommendations, instructions and operating manuals.

#### **4.a ESP Monitoring and Record Keeping Requirements: part 1**

The permittee shall monitor and record the following on an hourly basis during operation of the ESP:

- i. the secondary voltage, in kilovolts, and the secondary current in amps, for each transformer rectifier (TR) set in the ESP;
- ii. the power input (in kilowatts) of each TR set for each hour (calculated by multiplying the secondary voltage (in kilovolts) by the secondary current (in amps) for each TR set); and
- iii. the total power input to the ESP for each hour (add together the power inputs for the TR sets operating during the hour).

#### **4.b ESP Monitoring and Record Keeping Requirements: part 2**

The permittee shall record the following information for each day:

- i. all 3-hour blocks of time during which the average total combined power input to the ESP, when the emissions unit was in operation, was less than 90 percent of the total combined power input, as a 3-hour average, during the most recent emissions test that demonstrated the emissions unit was in compliance with the particulate emission limitation; and
- ii. the duration of any downtime for the ESP monitoring equipment for secondary voltage and current specified above, each ESP sections that are out of service, and the duration of the downtime for each section, when the associated emissions unit was in operation.

#### **4.c ESP Monitoring and Record Keeping Requirements: part 3**

The permittee shall operate and maintain a temperature monitor and recorder that measures and records the temperature of the exhaust gases entering the ESP as follows (unless otherwise approved by the Director (the Ohio EPA, Central District Office):

- i. during all periods of start-up until the ESP is operational or until the inlet temperature of the ESP achieves the temperature level specified in OAC rule 3745-17-07(A)(3)(a)(i); and
- ii. during all periods of shutdown until the inlet temperature of the ESP drops below the temperature level specified in OAC rule 3745-17-07(A)(3)(b)(i).

The temperature monitors and recorders shall be calibrated, operated, and maintained in accordance with the manufacturer's recommendations, with any modifications deemed necessary by the permittee, and shall be capable of accurately measuring the temperature of the emissions unit exhaust gases in degrees Fahrenheit.

### **III. Monitoring and/or Record Keeping Requirements (continued)**

#### **5. Safeguard Monitoring and Record Keeping Requirements**

The permittee shall record the following:

a. all periods of time during which the safeguard devices were unable to ensure compliance with the operational restriction specified above. This shall be reported as a malfunction in accordance with OAC rule 3745-15-06; and

b. all periods of time during which the feeding of waste stock, other than waste classified hazardous due to ignitability only, does not cease when any one field of the electrostatic precipitator is out of operation for an hour or more.

#### **6. Startup Procedures, Monitoring and Record Keeping Requirements**

The permittee shall record all periods of time during which the Startup Procedures Operational Restrictions specified above were not adhered to.

#### **7. Halogens Monitoring and Record Keeping Requirements**

The permittee shall conduct halogen content analysis (% by weight) of the waste feed and maintain records and waste feed data sufficient to continuously evaluate compliance with this operational restriction.

#### **8. Waste Fuel Stock and Water Waste Monitoring and Record Keeping Requirements**

The permittee shall record all periods of time during which the permittee did not comply with all State and federal laws and regulations including, but not limited to, the Toxic Substances Control Act of 1979. The permittee shall also record all periods of time during which polychlorinated biphenyls (PCB's) in excess of 50 ppm were incinerated without the appropriate Ohio EPA Permit to Install (PTI) and all periods during which herbicides, pesticides, rodenticides, insecticides, or high-level or low-level radioactive wastes or other materials are incinerated in violation of State and federal laws and regulations.

#### **9. Available Increment Monitoring and Record Keeping Requirements**

The permittee shall maintain operational controls such that the daily Available Increment limitations found in A.I.2.d are never exceeded. In addition, the permittee shall maintain monitoring devices that allow Ohio EPA personnel to determine compliance with these limitations during a facility inspection.

#### **10. NESHAPS (Benzene) Monitoring and Recordkeeping Requirements**

The permittee shall record all periods of time during which wastes containing greater than 10%, by weight, benzene were accepted.

#### **11. Asbestos Monitoring and Recordkeeping Requirement**

The permittee shall record all periods of time during which any asbestos-containing waste was charged into the incineration system.

#### **12. Sampling Program Requirements**

a. The permittee shall maintain the existing Waste Analysis Plan for the purpose of preventing PCBs, in excess of 50 ppm, from being incinerated in the incinerator and secondary combustion chamber.

b. All waste evaluations shall be reported to the permittee directly from the laboratory and retained on-site and available for inspection by the Director (the Ohio EPA, Central District Office).

c. Any waste evaluation reporting in excess of 50 ppm of PCBs shall result in the immediate discontinuation of receipt of wastes from that supplier, until a sufficient demonstration is provided to the permittee and the Director (the Ohio EPA, Central District Office) to prevent wastes exceeding 50 ppm PCBs from being shipped to this facility.

### **III. Monitoring and/or Record Keeping Requirements (continued)**

#### **13. Records of Materials Received**

A record of materials received for disposal at the facility shall be maintained by the permittee. The record shall contain at a minimum:

- a. the name of the plant from which the material was received;
- b. the address and location of the facility from which the material was received;
- c. the date the material was received;
- d. an identification of the vehicle(s) transporting the material including the PUCO or other legal identification number and the license plate number;
- e. the amount of material(s) and type of container(s); and
- f. a description of the material(s) including chemical composition(s).

#### **14. Records of Materials Burned**

The permittee shall maintain the following records for the materials burned in this emissions unit:

- a. the hourly ash feed rate of the material fed to the incinerator;
- b. the hourly chlorine feed rate of the material fed to the incinerator; and
- c. the hourly sulfur feed rate of the material fed to the incinerator.

#### **15. Air Quality and Meteorological Monitoring and Record Keeping Requirements**

The permittee shall calibrate, maintain, and operate the following ambient air quality and meteorological equipment:

- a. one wind speed and wind direction instrument on the plant property; and
- b. instrumentation for the measuring and recording of total daily precipitation.

#### **16. Continuous Opacity Monitor (COM)**

The permittee shall operate and maintain existing equipment to continuously monitor and record the opacity of the particulate emissions from this emissions unit. Such continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 60.13.

The permittee shall maintain records of all data obtained by the continuous opacity monitoring system including, but not limited to, percent opacity on an instantaneous (1-minute) and 6-minute block average basis, results of daily zero/span calibration checks, and magnitude of manual calibration adjustments.

### III. Monitoring and/or Record Keeping Requirements (continued)

**17. Continuous Emission Monitor (CEM) and CO<sub>2</sub> Monitor**

a. The permittee shall operate and maintain existing equipment to continuously monitor and record CO from this emissions unit in units of the applicable standard. Such continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 60.13.

The permittee shall maintain records of all data obtained by the continuous CO monitoring system including, but not limited to, parts per million CO on an instantaneous (one-minute) basis, emissions of CO in units of the applicable standard in the appropriate averaging period (e.g., hourly, hourly rolling, 3-hour, daily, 30-day rolling, annual, etc.), results of daily zero/span calibration checks, and magnitude of manual calibration adjustments.

b. The permittee shall operate and maintain existing equipment to continuously monitor and record CO<sub>2</sub> from this emissions unit in units of percent CO<sub>2</sub>. Such continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 60.13 and/or 40 CFR Part 75.

The permittee shall maintain records of all data obtained by the continuous CO<sub>2</sub> monitoring system including, but not limited to, percent CO<sub>2</sub> on an instantaneous (one-minute) basis, emissions of CO<sub>2</sub> in units of the applicable standard in the appropriate averaging period (e.g., hourly, hourly rolling, 3-hour, daily, 30-day rolling, etc.), results of daily zero/span calibration checks, and magnitude of manual calibration adjustments.

**18.** The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible fugitive particulate emissions from any asbestos material handling operations. The presence or absence of any visible emissions shall be noted in an operations log.

**19. 40 CFR 63, Subpart EEE: Monitoring and Compliance Provisions**

63.1209: What are the monitoring requirements?

(a) Continuous emissions monitoring systems (CEMS) and continuous opacity monitoring systems (COMS).

(1)(i) You must use either a carbon monoxide or hydrocarbon CEMS to demonstrate and monitor compliance with the carbon monoxide and hydrocarbon standard under this subpart. You must also use an oxygen CEMS to continuously correct the carbon monoxide or hydrocarbon level to 7 percent oxygen.

(2) Performance specifications. You must install, calibrate, maintain, and continuously operate the CEMS and COMS in compliance with the quality assurance procedures provided in the appendix to this subpart and Performance Specifications 1 (opacity), 4B (carbon monoxide and oxygen), and 8A (hydrocarbons) in appendix B, part 60 of this chapter.

(3) Carbon monoxide readings exceeding the span. (i) Except as provided by paragraph (a)(3)(ii) of this section, if a carbon monoxide CEMS detects a response that results in a one-minute average at or above the 3,000 ppmv span level required by Performance Specification 4B in appendix B, part 60 of this chapter, the one-minute average must be recorded as 10,000 ppmv. The one-minute 10,000 ppmv value must be used for calculating the hourly rolling average carbon monoxide level.

(ii) Carbon monoxide CEMS that use a span value of 10,000 ppmv when one-minute carbon monoxide levels are equal to or exceed 3,000 ppmv are not subject to paragraph (a)(3)(i) of this section. Carbon monoxide CEMS that use a span value of 10,000 are subject to the same CEMS performance and equipment specifications when operating in the range of 3,000 ppmv to 10,000 ppmv that are provided by Performance Specification 4B for other carbon monoxide CEMS, except:

(A) Calibration drift must be less than 300 ppmv; and

(B) Calibration error must be less than 500 ppmv.

### III. Monitoring and/or Record Keeping Requirements (continued)

**20.** 63.1209: continued

(a)(4) Hydrocarbon readings exceeding the span. (i) Except as provided by paragraph (a)(4)(ii) of this section, if a hydrocarbon CEMS detects a response that results in a one-minute average at or above the 100 ppmv span level required by Performance Specification 8A in appendix B, part 60 of this chapter, the one-minute average must be recorded as 500 ppmv. The one-minute 500 ppmv value must be used for calculating the hourly rolling average HC level.

(ii) Hydrocarbon CEMS that use a span value of 500 ppmv when one-minute hydrocarbon levels are equal to or exceed 100 ppmv are not subject to paragraph (a)(4)(i) of this section. Hydrocarbon CEMS that use a span value of 500 ppmv are subject to the same CEMS performance and equipment specifications when operating in the range of 100 ppmv to 500 ppmv that are provided by Performance Specification 8A for other hydrocarbon CEMS, except:

(A) The zero and high-level calibration gas must have a hydrocarbon level of between 0 and 100 ppmv, and between 250 and 450 ppmv, respectively;

(B) The strip chart recorder, computer, or digital recorder must be capable of recording all readings within the CEM measurement range and must have a resolution of 2.5 ppmv;

(C) The CEMS calibration must not differ by more than 15 ppmv after each 24-hour period of the seven day test at both zero and high levels;

(D) The calibration error must be no greater than 25 ppmv; and

(E) The zero level, mid-level, and high level calibration gas used to determine calibration error must have a hydrocarbon level of 0-200 ppmv, 150-200 ppmv, and 350-400 ppmv, respectively.

**21.** 63.1209: continued

(a)(5) Petitions to use CEMS for other standards. You may petition the Administrator to use CEMS for compliance monitoring for particulate matter, mercury, semivolatile metals, low volatile metals, and hydrochloric acid/chlorine gas under 63.8(f) in lieu of compliance with the corresponding operating parameter limits under this section.

(6) Calculation of rolling averages -- (i) Calculation of rolling averages initially. The carbon monoxide or hydrocarbon CEMS must begin recording one-minute average values by 12:01 a.m. and hourly rolling average values by 1:01 a.m., when 60 one-minute values will be available for calculating the initial hourly rolling average for those sources that come into compliance on the regulatory compliance date. Sources that elect to come into compliance before the regulatory compliance date must begin recording one-minute and hourly rolling average values within 60 seconds and 60 minutes (when 60 one-minute values will be available for calculating the initial hourly rolling average), respectively, from the time at which compliance begins.

(iii) Calculation of rolling averages when the hazardous waste feed is cutoff. (A) Except as provided by paragraph (a)(6)(iii)(B) of this section, you must continue monitoring carbon monoxide and hydrocarbons when the hazardous waste feed is cutoff if the source is operating. You must not resume feeding hazardous waste if the emission levels exceed the standard.

(B) You are not subject to the CEMS requirements of this subpart during periods of time you meet the requirements of 63.1206(b)(1)(ii) (compliance with emissions standards for nonhazardous waste burning sources when you are not burning hazardous waste).

### III. Monitoring and/or Record Keeping Requirements (continued)

**22.** 63.1209: continued

(a)(7) Operating parameter limits for hydrocarbons. If you elect to comply with the carbon monoxide and hydrocarbon emission standard by continuously monitoring carbon monoxide with a CEMS, you must demonstrate that hydrocarbon emissions during the comprehensive performance test do not exceed the hydrocarbon emissions standard. In addition, the limits you establish on the destruction and removal efficiency (DRE) operating parameters required under paragraph (j) of this section also ensure that you maintain compliance with the hydrocarbon emission standard. If you do not conduct the hydrocarbon demonstration and DRE tests concurrently, you must establish separate operating parameter limits under paragraph (j) of this section based on each test and the more restrictive of the operating parameter limits applies.

(b) Other continuous monitoring systems (CMS). (1) You must use CMS (e.g., thermocouples, pressure transducers, flow meters) to document compliance with the applicable operating parameter limits under this section.

(2) Except as specified in paragraphs (b)(2)(i) and (ii) of this section, you must install and operate continuous monitoring systems other than CEMS in conformance with 63.8(c)(3) that requires you, at a minimum, to comply with the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system:

(i) Calibration of thermocouples. The calibration of a thermocouple or other temperature sensor must be verified at least once every three months; and

(ii) Accuracy and calibration of weight measurement devices. The accuracy of weight measurement devices used to monitor flowrate of a feedstream (e.g., activated carbon feedrate, sorbent feedrate, nonpumpable waste) must be 1 percent of the weight being measured. The calibration of the device must be verified at least once every three months.

**23.** 63.1209: continued

(b) (3) CMS must sample the regulated parameter without interruption, and evaluate the detector response at least once each 15 seconds, and compute and record the average values at least every 60 seconds.

(4) The span of the non-CEMS CMS detector must not be exceeded. You must interlock the span limits into the automatic waste feed cutoff system required by 63.1206(c)(3).

(5) Calculation of rolling averages -- (i) Calculation of rolling averages initially. Continuous monitoring systems must begin recording one-minute average values by 12:01 a.m., hourly rolling average values by 1:01 a.m. (e.g., when 60 one-minute values will be available for calculating the initial hourly rolling average), and twelve-hour rolling averages by 12:01 p.m. (e.g., when 720 one-minute averages are available to calculate a 12-hour rolling average), for those sources that come into compliance on the regulatory compliance date. Sources that elect to come into compliance before the regulatory compliance date must begin recording one-minute, hourly rolling average, and 12-hour rolling average values within 60 seconds, 60 minutes (when 60 one-minute values will be available for calculating the initial hourly rolling average), and 720 minutes (when 720 one-minute values will be available for calculating the initial 12-hour rolling average) respectively, from the time at which compliance begins.

(ii) Calculation of rolling averages upon intermittent operations. You must ignore periods of time when one-minute values are not available for calculating rolling averages. When one-minute values become available again, the first one-minute value is added to the previous one-minute values to calculate rolling averages.

### III. Monitoring and/or Record Keeping Requirements (continued)

**24.** 63.1209: continued

(b)(5) (iii) Calculation of rolling averages when the hazardous waste feed is cutoff. (A) Except as provided by paragraph (b)(5)(iii)(B) of this section, you must continue to monitoring operating parameter limits with a CMS when the hazardous waste feed is cutoff if the source is operating. You must not resume feeding hazardous waste if an operating parameter exceeds its limit.

(B) You are not subject to the CMS requirements of this subpart during periods of time you meet the requirements of 63.1206(b)(1)(ii) (compliance with emissions standards for nonhazardous waste burning sources when you are not burning hazardous waste).

(c) Analysis of feedstreams -- (1) General. Prior to feeding the material, you must obtain an analysis of each feedstream that is sufficient to document compliance with the applicable feedrate limits provided by this section.

(2) Feedstream analysis plan. You must develop and implement a feedstream analysis plan and record it in the operating record. The plan must specify at a minimum:

(i) The parameters for which you will analyze each feedstream to ensure compliance with the operating parameter limits of this section;

(ii) Whether you will obtain the analysis by performing sampling and analysis or by other methods, such as using analytical information obtained from others or using other published or documented data or information;

(iii) How you will use the analysis to document compliance with applicable feedrate limits (e.g., if you blend hazardous wastes and obtain analyses of the wastes prior to blending but not of the blended, as-fired, waste, the plan must describe how you will determine the pertinent parameters of the blended waste);

(iv) The test methods which you will use to obtain the analyses;

**25.** 63.1209: continued

(c)(2)(v) The sampling method which you will use to obtain a representative sample of each feedstream to be analyzed using sampling methods described in appendix I, part 26, of this chapter, or an equivalent method; and

(vi) The frequency with which you will review or repeat the initial analysis of the feedstream to ensure that the analysis is accurate and up to date.

(3) Review and approval of analysis plan. You must submit the feedstream analysis plan to the Administrator for review and approval, if requested.

(4) Compliance with feedrate limits. To comply with the applicable feedrate limits of this section, you must monitor and record feedrates as follows:

(i) Determine and record the value of the parameter for each feedstream by sampling and analysis or other method;

(ii) Determine and record the mass or volume flowrate of each feedstream by a CMS. If you determine flowrate of a feedstream by volume, you must determine and record the density of the feedstream by sampling and analysis (unless you report the constituent concentration in units of weight per unit volume (e.g., mg/l)); and

(iii) Calculate and record the mass feedrate of the parameter per unit time.

(5) Waiver of monitoring of constituents in certain feedstreams. You are not required to monitor levels of metals or chlorine in the following feedstreams to document compliance with the feedrate limits under this section provided that you document in the comprehensive performance test plan the expected levels of the constituent in the feedstream and account for those assumed feedrate levels in documenting compliance with feedrate limits: natural gas, process air, and feedstreams from vapor recovery systems.

### **III. Monitoring and/or Record Keeping Requirements (continued)**

**26.** 63.1209: continued

(d) Performance evaluations. (1) The requirements of 63.8(d) (Quality control program) and (e) (Performance evaluation of continuous monitoring systems) apply, except that you must conduct performance evaluations of components of the CMS under the frequency and procedures (for example, submittal of performance evaluation test plan for review and approval) applicable to performance tests as provided by 63.1207.

(2) You must comply with the quality assurance procedures for CEMS prescribed in the appendix to this subpart.

(e) Conduct of monitoring. The provisions of 63.8(b) apply.

(f) Operation and maintenance of continuous monitoring systems. The provisions of 63.8(c) apply except:

(1) Section 63.8(c)(3). The requirements of 63.1211(d), that requires CMSs to be installed, calibrated, and operational on the compliance date, shall be complied with instead of section 63.8(c)(3);

(2) Section 63.8(c)(4)(ii). The performance specifications for carbon monoxide, hydrocarbon, and oxygen CEMSs in subpart B, part 60 of this chapter that requires detectors to measure the sample concentration at least once every 15 seconds for calculating an average emission rate once every 60 seconds shall be complied with instead of section 63.8(c)(4)(ii); and

(3) Sections 63.8(c)(4)(i), (c)(5), and (c)(7)(i)(C) pertaining to COMS apply only to owners and operators of hazardous waste burning cement kilns.

(g) Alternative monitoring requirements other than continuous emissions monitoring systems (CEMS) -- (1) Requests to use alternative methods. (i) You may submit an application to the Administrator under this paragraph for approval of alternative monitoring requirements to document compliance with the emission standards of this subpart. For requests to use additional CEMS, however, you must use paragraph (a)(5) of this section and 63.8(f).

### **III. Monitoring and/or Record Keeping Requirements (continued)**

**27.** 63.1209: continued

(g)(1)(i)(A) The Administrator will not approve averaging periods for operating parameter limits longer than specified in this section unless you document using data or information that the longer averaging period will ensure that emissions do not exceed levels achieved during the comprehensive performance test over any increment of time equivalent to the time required to conduct three runs of the performance test.

(B) If the Administrator approves the application to use an alternative monitoring requirement, you must continue to use that alternative monitoring requirement until you receive approval under this paragraph to use another monitoring requirement.

(ii) You may submit an application to waive an operating parameter limit specified in this section based on documentation that neither that operating parameter limit nor an alternative operating parameter limit is needed to ensure compliance with the emission standards of this subpart.

(iii) You must comply with the following procedures for applications submitted under paragraphs (g)(1)(i) and (ii) of this section:

(A) Timing of the application. You must submit the application to the Administrator not later than with the comprehensive performance test plan.

(B) Content of the application. You must include in the application:

(1) Data or information justifying your request for an alternative monitoring requirement (or for a waiver of an operating parameter limit), such as the technical or economic infeasibility or the impracticality of using the required approach;

(2) A description of the proposed alternative monitoring requirement, including the operating parameter to be monitored, the monitoring approach/technique (e.g., type of detector, monitoring location), the averaging period for the limit, and how the limit is to be calculated; and

**28.** 63.1209: continued

(g)(1)(iii)(B)(3) Data or information documenting that the alternative monitoring requirement would provide equivalent or better assurance of compliance with the relevant emission standard, or that it is the monitoring requirement that best assures compliance with the standard and that is technically and economically practicable.

(C) Approval of request to use an alternative monitoring requirement or waive an operating parameter limit. The Administrator will notify you of approval or intention to deny approval of the request within 90 calendar days after receipt of the original request and within 60 calendar days after receipt of any supplementary information that you submit. The Administrator will not approve an alternative monitoring request unless the alternative monitoring requirement provides equivalent or better assurance of compliance with the relevant emission standard, or is the monitoring requirement that best assures compliance with the standard and that is technically and economically practicable. Before disapproving any request, the Administrator will notify you of the Administrator's intention to disapprove the request together with:

(1) Notice of the information and findings on which the intended disapproval is based; and

(2) Notice of opportunity for you to present additional information to the Administrator before final action on the request. At the time the Administrator notifies you of intention to disapprove the request, the Administrator will specify how much time you will have after being notified of the intended disapproval to submit the additional information.

### **III. Monitoring and/or Record Keeping Requirements (continued)**

**29.** 63.1209: continued

(g)(1)(iii)(D) Responsibility of owners and operators. You are responsible for ensuring that you submit any supplementary and additional information supporting your application in a timely manner to enable the Administrator to consider your application during review of the comprehensive performance test plan. Neither your submittal of an application, nor the Administrator's failure to approve or disapprove the application, relieves you of the responsibility to comply with the provisions of this subpart.

(2) Administrator's discretion to specify additional or alternative requirements. The Administrator may determine on a case-by-case basis at any time (e.g., during review of the comprehensive performance test plan, during compliance certification review) that you may need to limit additional or alternative operating parameters (e.g., opacity in addition to or in lieu of operating parameter limits on the particulate matter control device) or that alternative approaches to establish limits on operating parameters may be necessary to document compliance with the emission standards of this subpart.

(h) Reduction of monitoring data. The provisions of 63.8(g) apply.

**30.** 63.1209: continued

(i) When an operating parameter is applicable to multiple standards. Paragraphs (j) through (p) of this section require you to establish limits on operating parameters based on comprehensive performance testing to ensure you maintain compliance with the emission standards of this subpart. For several parameters, you must establish a limit for the parameter to ensure compliance with more than one emission standard. An example is a limit on minimum combustion chamber temperature to ensure compliance with both the DRE standard of paragraph (j) of this section and the dioxin/furan standard of paragraph (k) of this section. If the performance tests for such standards are not performed simultaneously, the most stringent limit for a parameter derived from independent performance tests applies.

(j) DRE. To remain in compliance with the destruction and removal efficiency (DRE) standard, you must establish operating limits during the comprehensive performance test (or during a previous DRE test under provisions of 63.1206(b)(7)) for the following parameters, unless the limits are based on manufacturer specifications, and comply with those limits at all times that hazardous waste remains in the combustion chamber (i.e., the hazardous waste residence time has not transpired since the hazardous waste feed cutoff system was activated):

(1) Minimum combustion chamber temperature. (i) You must measure the temperature of each combustion chamber at a location that best represents, as practicable, the bulk gas temperature in the combustion zone. You must document the temperature measurement location in the test plan you submit under 63.1207(e);

(ii) You must establish a minimum hourly rolling average limit as the average of the test run averages;

### III. Monitoring and/or Record Keeping Requirements (continued)

**31.** 63.1209: continued

(j)(2) Maximum flue gas flowrate or production rate. (i) As an indicator of gas residence time in the control device, you must establish and comply with a limit on the maximum flue gas flowrate, the maximum production rate, or another parameter that you document in the site-specific test plan as an appropriate surrogate for gas residence time, as the average of the maximum hourly rolling averages for each run.

(ii) You must comply with this limit on a hourly rolling average basis;

(3) Maximum hazardous waste feedrate. (i) You must establish limits on the maximum pumpable and total (i.e., pumpable and nonpumpable) hazardous waste feedrate for each location where hazardous waste is fed.

(ii) You must establish the limits as the average of the maximum hourly rolling averages for each run.

(iii) You must comply with the feedrate limit(s) on a hourly rolling average basis;

(4) Operation of waste firing system. You must specify operating parameters and limits to ensure that good operation of each hazardous waste firing system is maintained.

(k) Dioxins and furans. You must comply with the dioxin and furans emission standard by establishing and complying with the following operating parameter limits. You must base the limits on operations during the comprehensive performance test, unless the limits are based on manufacturer specifications.

(1) Gas temperature at the inlet to a dry particulate matter control device. (i) For hazardous waste burning incinerators and cement kilns, if the combustor is equipped with an electrostatic precipitator, baghouse (fabric filter), or other dry emissions control device where particulate matter is suspended in contact with combustion gas, you must establish a limit on the maximum temperature of the gas at the inlet to the device on an hourly rolling average. You must establish the hourly rolling average limit as the average of the test run averages.

**32.** 63.1209: continued

(k)(2) Minimum combustion chamber temperature. (i) You must measure the temperature of each combustion chamber at a location that best represents, as practicable, the bulk gas temperature in the combustion zone. You must document the temperature measurement location in the test plan you submit under 63.1207(e) and (f);

(ii) You must establish a minimum hourly rolling average limit as the average of the test run averages.

(3) Maximum flue gas flowrate or production rate. (i) As an indicator of gas residence time in the control device, you must establish and comply with a limit on the maximum flue gas flowrate, the maximum production rate, or another parameter that you document in the site-specific test plan as an appropriate surrogate for gas residence time, as the average of the maximum hourly rolling averages for each run.

(ii) You must comply with this limit on a hourly rolling average basis;

(4) Maximum waste feedrate. (i) You must establish limits on the maximum pumpable and total (pumpable and nonpumpable) waste feedrate for each location where waste is fed.

(ii) You must establish the limits as the average of the maximum hourly rolling averages for each run.

(iii) You must comply with the feedrate limit(s) on a hourly rolling average basis;

(5) Particulate matter operating limit. If your combustor is equipped with an activated carbon injection or a carbon bed system, you must limit particulate matter emissions to the level achieved during the comprehensive performance test as prescribed by paragraph (m) of this section;

(6) Activated carbon injection parameter limits. If your combustor is equipped with an activated carbon injection system:

### III. Monitoring and/or Record Keeping Requirements (continued)

**33.** 63.1209: continued

(k)(6)(i) Carbon feedrate. You must establish a limit on minimum carbon injection rate on an hourly rolling average calculated as the average of the test run averages. If your carbon injection system injects carbon at more than one location, you must establish a carbon feedrate limit for each location.

(ii) Carrier fluid. You must establish a limit on minimum carrier fluid (gas or liquid) flowrate or pressure drop as an hourly rolling average based on the manufacturer's specifications. You must document the specifications in the test plan you submit under 63.1207(e) and (f);

(iii) Carbon specification. (A) You must specify and use the brand (i.e., manufacturer) and type of carbon used during the comprehensive performance test until a subsequent comprehensive performance test is conducted, unless you document in the site-specific performance test plan required under 63.1207(e) and (f) key parameters that affect adsorption and establish limits on those parameters based on the carbon used in the performance test.

(B) You may substitute at any time a different brand or type of carbon provided that the replacement has equivalent or improved properties compared to the carbon used in the performance test and conforms to the key sorbent parameters you identify under paragraph (k)(6)(iii)(A) of this section. You must include in the operating record documentation that the substitute carbon will provide the same level of control as the original carbon.

(7) Carbon bed parameter limits. If your combustor is equipped with a carbon bed system:

(i) Maximum bed age. (A) Except as provided by paragraph (k)(7)(i)(C) of this section, the maximum age of the carbon in each segment of the bed before you must replace the carbon is the age of the bed during the comprehensive performance test.

**34.** 63.1209: continued

(k)(7)(i)(B) You must measure carbon age in terms of the cumulative volume of combustion gas flow through carbon since its addition. For beds with multiple segments, you must establish the maximum age for each segment.

(C) For the initial comprehensive performance test, you may base the initial limit on maximum age of the carbon in each segment of the bed on manufacturer's specifications. If you use manufacturer's specifications rather than actual bed age to establish the initial limit, you must also recommend in the initial comprehensive performance test plan a schedule for subsequent dioxin/furan emissions testing, prior to the confirmatory performance test, that you will use to document to the Administrator that the initial limit on maximum bed age ensures compliance with the dioxin/furan emission standard. If you fail to confirm compliance with the emission standard during this testing, you must conduct additional testing as necessary to document that a revised lower limit on maximum bed age ensures compliance with the standard.

(ii) Carbon specification. (A) You must specify and use the brand (i.e., manufacturer) and type of carbon used during the comprehensive performance test until a subsequent comprehensive performance test is conducted, unless you document in the site-specific performance test plan required under 63.1207(e) and (f) key parameters that affect adsorption and establish limits on those parameters based on the carbon used in the performance test.

(B) You may substitute at any time a different brand or type of carbon provided that the replacement has equivalent or improved properties compared to the carbon used in the performance test. You must include in the operating record documentation that the substitute carbon will provide an equivalent or improved level of control as the original carbon.

### III. Monitoring and/or Record Keeping Requirements (continued)

**35.** 63.1209: continued

(k)(7)(iii) Maximum temperature. You must measure the temperature of the carbon bed at either the bed inlet or exit and you must establish a maximum temperature limit on an hourly rolling average as the average of the test run averages.

(8) Catalytic oxidizer parameter limits. If your combustor is equipped with a catalytic oxidizer, you must establish limits on the following parameters:

(i) Minimum flue gas temperature at the entrance of the catalyst. You must establish a limit on minimum flue gas temperature at the entrance of the catalyst on an hourly rolling average as the average of the test run averages.

(ii) Maximum time in-use. You must replace a catalytic oxidizer with a new catalytic oxidizer when it has reached the maximum service time specified by the manufacturer.

(iii) Catalyst replacement specifications. When you replace a catalyst with a new one, the new catalyst must be equivalent to or better than the one used during the previous comprehensive test, as measured by:

(A) Catalytic metal loading for each metal;

(B) Space time, expressed in the units s-1, the maximum rated volumetric flow of combustion gas through the catalyst divided by the volume of the catalyst; and

(C) Substrate construction, including materials of construction, washcoat type, and pore density.

(iv) Maximum flue gas temperature. You must establish a maximum flue gas temperature limit at the entrance of the catalyst as an hourly rolling average, based on manufacturer's specifications.

(9) Inhibitor feedrate parameter limits. If you feed a dioxin/furan inhibitor into the combustion system, you must establish limits for the following parameters:

(i) Minimum inhibitor feedrate. You must establish a limit on minimum inhibitor feedrate on an hourly rolling average as the average of the test run averages.

### III. Monitoring and/or Record Keeping Requirements (continued)

**36.** 63.1209: continued

(k)(9) Inhibitor specifications. (A) You must specify and use the brand (i.e., manufacturer) and type of inhibitor used during the comprehensive performance test until a subsequent comprehensive performance test is conducted, unless you document in the site-specific performance test plan required under 63.1207(e) and (f) key parameters that affect the effectiveness of the inhibitor and establish limits on those parameters based on the inhibitor used in the performance test.

(B) You may substitute at any time a different brand or type of inhibitor provided that the replacement has equivalent or improved properties compared to the inhibitor used in the performance test and conforms to the key parameters you identify under paragraph (k)(9)(ii)(A) of this section. You must include in the operating record documentation that the substitute inhibitor will provide the same level of control as the original inhibitor.

(l) Mercury. You must comply with the mercury emission standard by establishing and complying with the following operating parameter limits. You must base the limits on operations during the comprehensive performance test, unless the limits are based on manufacturer specifications.

(1) Feedrate of total mercury. You must establish a 12-hour rolling average limit for the total feedrate of mercury in all feedstreams as the average of the test run averages, unless mercury feedrate limits are extrapolated from performance test feedrate levels under the following provisions.

(i) You may request as part of the performance test plan under 63.7(b) and (c) and 63.1207(e) and (f) to use the mercury feedrates and associated emission rates during the comprehensive performance test to extrapolate to higher allowable feedrate limits and emission rates.

(ii) The extrapolation methodology will be reviewed and approved, as warranted, by the Administrator. The review will consider in particular whether:

**37.** 63.1209: continued

(l)(1)(ii)(A) Performance test metal feedrates are appropriate (i.e., whether feedrates are at least at normal levels; depending on the heterogeneity of the waste, whether some level of spiking would be appropriate; and whether the physical form and species of spiked material is appropriate); and

(B) Whether the extrapolated feedrates you request are warranted considering historical metal feedrate data.

(iii) The Administrator will review the performance test results in making a finding of compliance required by 63.6(f)(3) and 63.1206(b)(3) to ensure that you have interpreted emission test results properly and that the extrapolation procedure is appropriate for your source.

(2) Wet scrubber. If your combustor is equipped with a wet scrubber, you must establish operating parameter limits prescribed by paragraph (o)(3) of this section.

(3) Activated carbon injection. If your combustor is equipped with an activated carbon injection system, you must establish operating parameter limits prescribed by paragraph (k)(6) of this section.

(4) Activated carbon bed. If your combustor is equipped with a carbon bed system, you must establish operating parameter limits prescribed by paragraph (k)(7) of this section.

(m) Particulate matter. You must comply with the particulate matter emission standard by establishing and complying with the following operating parameter limits. You must base the limits on operations during the comprehensive performance test, unless the limits are based on manufacturer specifications.

(1) Control device operating parameter limits (OPLs). (i) Wet scrubbers. For sources equipped with wet scrubbers, including ionizing wet scrubbers, high energy wet scrubbers such as venturi, hydrosonic, collision, or free jet wet scrubbers, and low energy wet scrubbers such as spray towers, packed beds, or tray towers, you must establish limits on the following parameters:

### III. Monitoring and/or Record Keeping Requirements (continued)

**38.** 63.1209: continued

(m)(1)(i)(A) For high energy scrubbers only, minimum pressure drop across the wet scrubber on an hourly rolling average, established as the average of the test run averages;

(B) For all wet scrubbers:

(1) To ensure that the solids content of the scrubber liquid does not exceed levels during the performance test, you must either:

(i) Establish a limit on solids content of the scrubber liquid using a CMS or by manual sampling and analysis. If you elect to monitor solids content manually, you must sample and analyze the scrubber liquid hourly unless you support an alternative monitoring frequency in the performance test plan that you submit for review and approval; or

(ii) Establish a minimum blowdown rate using a CMS and either a minimum scrubber tank volume or liquid level using a CMS.

(2) For maximum solids content monitored with a CMS, you must establish a limit on a 12-hour rolling average as the average of the test run averages.

(3) For maximum solids content measured manually, you must establish an hourly limit, as measured at least once per hour, unless you support an alternative monitoring frequency in the performance test plan that you submit for review and approval. You must establish the maximum hourly limit as the average of the manual measurement averages for each run.

(4) For minimum blowdown rate and either a minimum scrubber tank volume or liquid level using a CMS, you must establish a limit on an hourly rolling average as the average of the test run averages.

**39.** 63.1209: continued

(m)(1)(i)(C) For high energy wet scrubbers only, you must establish limits on either the minimum liquid to gas ratio or the minimum scrubber water flowrate and maximum flue gas flowrate on an hourly rolling average. If you establish limits on maximum flue gas flowrate under this paragraph, you need not establish a limit on maximum flue gas flowrate under paragraph (m)(2) of this section. You must establish these hourly rolling average limits as the average of the test run averages; and

(D) You must establish limits on minimum power input for ionizing wet scrubbers on an hourly rolling average as the average of the test run averages.

(ii) Baghouses. If your combustor is equipped with a baghouse, you must establish a limit on minimum pressure drop and maximum pressure drop across each baghouse cell based on manufacturer's specifications. You must comply with the limit on an hourly rolling average.

(iii) Electrostatic precipitators. If your combustor is equipped with an electrostatic precipitator, you must establish a limit on minimum secondary power input (kVa) for each field on an hourly rolling average as the average of the test run averages. Secondary power is power actually fed to the electrostatic precipitator rather than primary power fed to the transformer-rectifier sets.

(iv) Other particulate matter control devices. For each control device that is not a high energy or ionizing wet scrubber, baghouse, or electrostatic precipitator but is operated to comply with the particulate matter emission standards of this subpart, you must ensure that the control device is properly operated and maintained as required by 63.1206(c)(7) and by monitoring the operation of the control device as follows:

### III. Monitoring and/or Record Keeping Requirements (continued)

**40.** 63.1209: continued

(m)(1)(iv)(A) During each comprehensive performance test conducted to demonstrate compliance with the particulate matter emissions standard, you must establish a range of operating values for the control device that is a representative and reliable indicator that the control device is operating within the same range of conditions as during the performance test. You must establish this range of operating values as follows:

(1) You must select a set of operating parameters appropriate for the control device design that you determine to be a representative and reliable indicator of the control device performance.

(2) You must measure and record values for each of the selected operating parameters during each test run of the performance test. A value for each selected parameter must be recorded using a continuous monitor.

(3) For each selected operating parameter measured in accordance with the requirements of paragraph (m)(1)(iv)(A)(1) of this section, you must establish a minimum operating parameter limit or a maximum operating parameter limit, as appropriate for the parameter, to define the operating limits within which the control device can operate and still continuously achieve the same operating conditions as during the performance test.

(4) You must prepare written documentation to support the operating parameter limits established for the control device and you must include this documentation in the performance test plan that you submit for review and approval. This documentation must include a description for each selected parameter and the operating range and monitoring frequency required to ensure the control device is being properly operated and maintained.

**41.** 63.1209: continued

(m)(1)(iv)(B) You must install, calibrate, operate, and maintain a monitoring device equipped with a recorder to measure the values for each operating parameter selected in accordance with the requirements of paragraph (m)(1)(iv)(A)(1) of this section. You must install, calibrate, and maintain the monitoring equipment in accordance with the equipment manufacturer's specifications. The recorder must record the detector responses at least every 60 seconds, as required in the definition of continuous monitor.

(C) You must regularly inspect the data recorded by the operating parameter monitoring system at a sufficient frequency to ensure the control device is operating properly. An excursion is determined to have occurred any time that the actual value of a selected operating parameter is less than the minimum operating limit (or, if applicable, greater than the maximum operating limit) established for the parameter in accordance with the requirements of paragraph (m)(1)(iv)(A)(3) of this section.

(D) Operating parameters selected in accordance with paragraph (m)(1)(iv) of this section may be based on manufacturer specifications provided you support the use of manufacturer specifications in the performance test plan that you submit for review and approval.

(2) Maximum flue gas flowrate or production rate. (i) As an indicator of gas residence time in the control device, you must establish a limit on the maximum flue gas flowrate, the maximum production rate, or another parameter that you document in the site-specific test plan as an appropriate surrogate for gas residence time, as the average of the maximum hourly rolling averages for each run.

(ii) You must comply with this limit on a hourly rolling average basis;

(3) Maximum ash feedrate. Owners and operators of hazardous waste incinerators must establish a maximum ash feedrate limit as the average of the test run averages.

### III. Monitoring and/or Record Keeping Requirements (continued)

**42.** 63.1209: continued

(n) Semivolatile metals and low volatility metals. You must comply with the semivolatile metal (cadmium and lead) and low volatile metal (arsenic, beryllium, and chromium) emission standards by establishing and complying with the following operating parameter limits. You must base the limits on operations during the comprehensive performance test, unless the limits are based on manufacturer specifications.

(1) Maximum inlet temperature to dry particulate matter air pollution control device. You must establish a limit on the maximum inlet temperature to the primary dry metals emissions control device (e.g., electrostatic precipitator, baghouse) on an hourly rolling average basis as the average of the test run averages.

(2) Maximum feedrate of semivolatile and low volatile metals. (i) General. You must establish feedrate limits for semivolatile metals (cadmium and lead) and low volatile metals (arsenic, beryllium, and chromium) as follows, except as provided by paragraph (n)(2)(ii) of this section:

(A) You must establish a 12-hour rolling average limit for the feedrate of cadmium and lead, combined, in all feedstreams as the average of the test run averages;

(B) You must establish a 12-hour rolling average limit for the feedrate of arsenic, beryllium, and chromium, combined, in all feedstreams as the average of the test run averages; and

(C) You must establish a 12-hour rolling average limit for the feedrate of arsenic, beryllium, and chromium, combined, in all pumpable feedstreams as the average of the test run averages. Dual feedrate limits for both pumpable and total feedstreams are not required, however, if you base the total feedrate limit solely on the feedrate of pumpable feedstreams.

**43.** 63.1209: continued

(n)(ii) Feedrate extrapolation. (A) You may request as part of the performance test plan under 63.7(b) and (c) and 63.1207(e) and (f) to use the semivolatile metal and low volatile metal feedrates and associated emission rates during the comprehensive performance test to extrapolate to higher allowable feedrate limits and emission rates.

(B) The extrapolation methodology will be reviewed and approved, as warranted, by the Administrator. The review will consider in particular whether:

(1) Performance test metal feedrates are appropriate (i.e., whether feedrates are at least at normal levels; depending on the heterogeneity of the waste, whether some level of spiking would be appropriate; and whether the physical form and species of spiked material is appropriate); and

(2) Whether the extrapolated feedrates you request are warranted considering historical metal feedrate data.

(C) The Administrator will review the performance test results in making a finding of compliance required by 63.6(f)(3) and 63.1206(b)(3) to ensure that you have interpreted emission test results properly and that the extrapolation procedure is appropriate for your source.

(3) Control device operating parameter limits (OPLs). You must establish operating parameter limits on the particulate matter control device as specified by paragraph (m)(1) of this section;

(4) Maximum total chlorine and chloride feedrate. You must establish a 12-hour rolling average limit for the feedrate of total chlorine and chloride in all feedstreams as the average of the test run averages.

### III. Monitoring and/or Record Keeping Requirements (continued)

**44.** 63.1209: continued

(n)(5) Maximum flue gas flowrate or production rate. (i) As an indicator of gas residence time in the control device, you must establish a limit on the maximum flue gas flowrate, the maximum production rate, or another parameter that you document in the site-specific test plan as an appropriate surrogate for gas residence time, as the average of the maximum hourly rolling averages for each run.

(ii) You must comply with this limit on a hourly rolling average basis.

(o) Hydrochloric acid and chlorine gas. You must comply with the hydrogen chloride and chlorine gas emission standard by establishing and complying with the following operating parameter limits. You must base the limits on operations during the comprehensive performance test, unless the limits are based on manufacturer specifications.

(1) Feedrate of total chlorine and chloride. You must establish a 12-hour rolling average limit for the total feedrate of chlorine (organic and inorganic) in all feedstreams as the average of the test run averages.

(2) Maximum flue gas flowrate or production rate. (i) As an indicator of gas residence time in the control device, you must establish a limit on the maximum flue gas flowrate, the maximum production rate, or another parameter that you document in the site-specific test plan as an appropriate surrogate for gas residence time, as the average of the maximum hourly rolling averages for each run.

(ii) You must comply with this limit on a hourly rolling average basis;

(3) Wet scrubber. If your combustor is equipped with a wet scrubber:

(i) If your source is equipped with a high energy wet scrubber such as a venturi, hydrosonic, collision, or free jet wet scrubber, you must establish a limit on minimum pressure drop across the wet scrubber on an hourly rolling average as the average of the test run averages;

**45.** 63.1209: continued

(o)(2)(ii) If your source is equipped with a low energy wet scrubber such as a spray tower, packed bed, or tray tower, you must establish a minimum pressure drop across the wet scrubber based on manufacturer's specifications. You must comply with the limit on an hourly rolling average;

(iii) If your source is equipped with a low energy wet scrubber, you must establish a limit on minimum liquid feed pressure to the wet scrubber based on manufacturer's specifications. You must comply with the limit on an hourly rolling average;

(iv) You must establish a limit on minimum pH on an hourly rolling average as the average of the test run averages;

(v) You must establish limits on either the minimum liquid to gas ratio or the minimum scrubber water flowrate and maximum flue gas flowrate on an hourly rolling average as the average of the test run averages. If you establish limits on maximum flue gas flowrate under this paragraph, you need not establish a limit on maximum flue gas flowrate under paragraph (o)(2) of this section; and

(vi) You must establish a limit on minimum power input for ionizing wet scrubbers on an hourly rolling average as the average of the test run averages.

(4) Dry scrubber. If your combustor is equipped with a dry scrubber, you must establish the following operating parameter limits:

(i) Minimum sorbent feedrate. You must establish a limit on minimum sorbent feedrate on an hourly rolling average as the average of the test run averages.

(ii) Minimum carrier fluid flowrate or nozzle pressure drop. You must establish a limit on minimum carrier fluid (gas or liquid) flowrate or nozzle pressure drop based on manufacturer's specifications.

### **III. Monitoring and/or Record Keeping Requirements (continued)**

**46. 63.1209: continued**

(o)(4)(iii) Sorbent specifications. (A) You must specify and use the brand (i.e., manufacturer) and type of sorbent used during the comprehensive performance test until a subsequent comprehensive performance test is conducted, unless you document in the site-specific performance test plan required under 63.1207(e) and (f) key parameters that affect adsorption and establish limits on those parameters based on the sorbent used in the performance test.

(B) You may substitute at any time a different brand or type of sorbent provided that the replacement has equivalent or improved properties compared to the sorbent used in the performance test and conforms to the key sorbent parameters you identify under paragraph (o)(4)(iii)(A) of this section. You must record in the operating record documentation that the substitute sorbent will provide the same level of control as the original sorbent.

(p) Maximum combustion chamber pressure. If you comply with the requirements for combustion system leaks under 63.1206(c)(5) by maintaining the maximum combustion chamber zone pressure lower than ambient pressure, you must monitor the pressure instantaneously and the automatic waste feed cutoff system must be engaged when negative pressure is not maintained at any time.

(q) Operating under different modes of operation. If you operate under different modes of operation, you must establish operating parameter limits for each mode. You must document in the operating record when you change a mode of operation and begin complying with the operating parameter limits for an alternative mode of operation. You must begin calculating rolling averages anew (i.e., without considering previous recordings) when you begin complying with the operating parameter limits for the alternative mode of operation.

### **IV. Reporting Requirements**

**1. Temperature Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that specify the date, duration, cause, and action taken for any periods during which the temperature is less than 1700 degrees F during the feeding of any waste to the combustion chamber. In addition, these reports shall specify the date, duration, cause, and action taken for any period during which the thermocouple and/or controlled feed device were not operating in accordance with these terms and conditions.

**2. Flow Rate Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that specify the date, duration, cause, and action taken for any periods during which total exhaust gas volumetric flow through the incineration system was not be monitored and recorded on a continuous basis. In addition, these reports shall specify the date, duration, cause, and action taken for any period during which the annubar (differential pressure pitot tube) or other flow monitoring equipment were not operating in accordance with these terms and conditions.

**3. Scrubber Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that specify the date, duration, cause, and action taken for any periods during which the scrubber was not in operation while the incinerator was being fed wastes or any periods during which the scrubbant to the scrubber was not maintained in the pH range specified above. In addition, these reports shall specify the date, duration, cause, and action taken for any period during which the an inventory of spare parts were not kept as specified in these terms and conditions.

#### **IV. Reporting Requirements (continued)**

##### **4. ESP Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that identify the following:

- a. all periods of time during start-up and shutdown of the emissions unit when an ESP was not in operation and the temperature of the emissions unit exhaust gases exceeded the temperature levels specified in OAC rule 3745-17-07(A)(3)(a)(i) and (b)(i);
- b. all 3-hour blocks of time during which the average total combined power input to all fields of an ESP did not comply with the operational restriction specified in Section A.II of this permit; and
- c. all sections of each ESP that were out of service along with the time period(s) involved.

##### **5. Safeguard Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that identify the following:

- a. all periods of time during which the safeguard devices were unable to ensure the Safeguard Operational Restrictions specified above. This shall also be reported as a malfunction in accordance with OAC rule 3745-15-06; and
- b. all periods of time during which the feeding of waste stock, other than waste classified hazardous due to ignitability only does not cease when any one field of the electrostatic precipitator is out of operation for an hour or more.

##### **6. Startup Procedures Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that identify all periods of time during which the Startup Procedures Operational Restrictions specified above were not adhered to.

##### **7. Halogens Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that specify the date, duration, cause, and action taken for any periods during which the incinerator was feed greater than 200 pounds per hour of halogens and/or a halogen content analysis (% by weight) of the waste feed provided insufficient data to continuously evaluate compliance with the Halogens Operational Restriction specified above.

##### **8. Waste Fuel Stock and Water Waste Monitoring and Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that identify all periods of time during which the safeguard devices were unable to ensure the Waste Fuel Stock and Water Waste Operational Restrictions specified above.

##### **9. Available Increment Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that specify any times during which the Available Increment Operational Restrictions were exceeded.

##### **10. NESHAPS (Benzene) Reporting Requirements**

The permittee shall submit quarterly deviation (excursion) reports that specify any periods during which wastes containing greater than 10%, by weight, benzene were accepted.

##### **11. Asbestos Reporting Requirement**

The permittee shall submit quarterly deviation (excursion) reports that specify any times during which asbestos containing waste were charged into the incineration system.

##### **12. The permittee shall submit quarterly deviation (excursion) reports that (a) identify all days during which any visible particulate emissions were observed from this emissions unit when handling asbestos or asbestos-containing material and (b) describe any corrective actions taken to eliminate the visible particulate emissions.**

#### **IV. Reporting Requirements (continued)**

13. The quarterly deviation reports shall be submitted in accordance with General Term and Condition A.1.c.ii of this permit.
14. The permittee shall notify the Ohio EPA, Central District Office at least 60 days in advance of the receipt of any new waste which has not been previously approved in the PPG hazardous waste facility permit. Such notification shall include the quantity and quality of the waste, the method by which it will be treated, and the manner and location in which it will be stored. The permittee shall also submit an "Intent to Test" notification to the Ohio EPA, Central District Office at least 60 days in advance of the receipt of any new waste which has not been previously approved in the PPG hazardous waste facility permit. The emissions testing shall be performed in order to demonstrate compliance with the terms and conditions of this permit while burning the new waste. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s).

#### **15. Continuous Opacity Monitor (COM)**

Pursuant to 40 CFR Parts 60.7 and 60.13(h), the permittee shall submit reports within 30 days following the end of each calendar quarter to the appropriate Ohio EPA District Office or local air agency documenting all instances of opacity values in excess of the limitations specified in OAC rule 3745-17-07, detailing the date, commencement and completion times, duration, magnitude (percent opacity), reason (if known), and corrective actions taken (if any) of each 6-minute block average above the applicable opacity limitation(s).

The permittee shall submit reports within 30 days following the end of each calendar quarter to the appropriate Ohio EPA District Office or local air agency documenting any continuous opacity monitoring system downtime while the emissions unit was on line (date, time, duration and reason) along with any corrective action(s) taken. The permittee shall provide the emissions unit operating time during the reporting period and the date, time, reason, and corrective action(s) taken for each time period of emissions unit and control equipment malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line shall be included in the quarterly report.

If there are no excess emissions during the calendar quarter, the permittee shall submit a statement to that effect along with the date, time, reason, and corrective action(s) taken for each time period of monitoring system malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line also shall be included in the quarterly report. These quarterly excess emission reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall address the data obtained during the previous calendar quarter.

Within 180 days of the effective date of this permit, the permittee shall develop a written quality assurance/quality control plan for the continuous opacity monitoring system designed to ensure continuous valid and representative readings of opacity. The plan shall include, as a minimum, conducting and recording daily automatic zero/span checks, provisions for conducting a quarterly audit of the continuous opacity monitoring system, and a description of preventive maintenance activities. The plan shall describe step by step procedures for ensuring that sections 7.1.4, 7.4.1, 7.4.2, and Table 1-1 of Performance Specification 1 are maintained on a continuous basis. The quality assurance/quality control plan and a logbook dedicated to the continuous opacity monitoring system must be kept on site and available for inspection during regular office hours.

#### **IV. Reporting Requirements (continued)**

##### **16. Continuous Emission Monitor (CEM) and CO<sub>2</sub> Monitor**

a. Pursuant to OAC rule 3745-15-04 and ORC sections 3704.03(I) and 3704.031 and 40 CFR Parts 60.7 and 60.13(h), the permittee shall submit reports within 30 days following the end of each calendar quarter to the appropriate Ohio EPA District Office or local air agency documenting the date, commencement and completion times, duration, magnitude, reason (if known), and corrective actions taken (if any) of all instances of CO values in excess of any applicable limitation(s) specified in 40 CFR Part 60, or any limitation(s) specified in the terms and conditions of this permit, in units of the standard. These reports shall also contain the total CO emissions for the calendar quarter (in tons).

The permittee shall submit reports within 30 days following the end of each calendar quarter to the appropriate Ohio EPA District Office or local air agency documenting any continuous CO monitoring system downtime while the emissions unit was on line (date, time, duration and reason) along with any corrective action(s) taken. The permittee shall provide the emissions unit operating time during the reporting period and the date, time, reason and corrective action(s) taken for each time period of emissions unit and control equipment malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line shall also be included in the quarterly report.

If there are no excess emissions during the calendar quarter, the permittee shall submit a statement to that effect along with the date, time, reason, and corrective action(s) taken for each time period of monitoring system malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line shall also be included in the quarterly report. These quarterly excess emission reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall address the data obtained during the previous calendar quarter.

Within 180 days of the effective date of this permit, the permittee shall develop a written quality assurance/quality control plan for the continuous CO monitoring system designed to ensure continuous valid and representative readings of CO. The plan shall follow the requirements of 40 CFR Part 60, Appendix F. The quality assurance/quality control plan and a logbook dedicated to the continuous CO monitoring system must be kept on site and available for inspection during regular office hours.

b. Pursuant to 40 CFR Parts 60.7 and 60.13(h), the permittee shall submit reports within 30 days following the end of each calendar quarter to the appropriate Ohio EPA District Office or local air agency documenting all instances of continuous CO<sub>2</sub> monitoring system downtime while the emissions unit was on line (date, time, duration and reason) along with any corrective action(s) taken. The permittee shall provide the emissions unit operating time during the reporting period and the date, time, reason and corrective action(s) taken for each time period of emissions unit malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line shall be included in the quarterly report. These quarterly reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall address the data obtained during the previous calendar quarter.

Within 180 days of the effective date of this permit, the permittee shall develop a written quality assurance/quality control plan for the continuous CO<sub>2</sub> monitoring system designed to ensure continuous valid and representative readings of CO<sub>2</sub> emissions in units of the applicable standard. The plan shall follow the requirements of 40 CFR Part 60, Appendix F and/or 40 CFR Part 75, Appendix B. The quality assurance/quality control plan and a logbook dedicated to the continuous CO<sub>2</sub> monitoring system must be kept on site and available for inspection during regular office hours.

#### IV. Reporting Requirements (continued)

17. 40 CFR 63, Subpart EEE: Notification, Reporting and Recordkeeping

63.1210: What are the notification requirements?

(a) Summary of requirements. (1) You must submit the following notifications to the Administrator:

Reference	Notification
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63.9(b).....Initial notifications that you are subject to Subpart EEE of this Part.

63.1210(b) and (c).....Notification of intent to comply.

63.9(d).....Notification that you are subject to special compliance requirements.

63.1207(e), 63.9(e),63.9(g)(1) and (3).....Notification of performance test and continuous monitoring system evaluation, including the performance test plan and CMS performance evaluation plan.

63.1210(d), 63.1207(j), 63.9(h), 63.10(d)(2), 63.10(e)(2).....Notification of compliance, including results of performance tests and continuous monitoring system performance evaluations. /1/

63.1206(b)(6).....Notification of changes in design, operation, or maintenance.

63.9(j).....Notification and documentation of any change in information already provided under Sec. 63.9.

\1>You may also be required on a case-by-case basis to submit a feedstream analysis plan under 63.1209(c)(3).

18. 63.1210: continued

(a)(2) You must submit the following notifications to the Administrator if you request or elect to comply with alternative requirements:

Reference	Notification, request, petition, or application
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63.1206(b)(5), 63.1213, 63.6(i), 63.9(c), 63.9(i).....You may request an extension of the compliance date for up to one year. You may request an adjustment to time periods or postmark deadlines for submittal and review of required information.

63.1209(g)(1).....You may request approval of: (1) alternative monitoring methods, except for standards that you must monitor with a continuous emission monitoring system (CEMS) and except for requests to use a CEMS in lieu of operating parameter limits; or (2) a waiver of an operating parameter limit.

63.1209(a)(5), 63.8(f).....You may request: (1) approval of alternative monitoring methods for compliance with standards that are monitored with a CEMS; and (2) approval to use a CEMS in lieu of operating parameter limits.

19. 63.1210: continued

(a)(2) continued

Reference	Notification, request, petition, or application
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63.1206(b)(1)(ii)(A).....Notification that you elect to document compliance with all applicable requirements and standards promulgated under authority of the Clean Air Act, including Sections 112 and 129, in lieu of the requirements of Subpart EEE of this Part when not burning hazardous waste.

63.1206(b)(5)(i)(C)(2).....You may request to burn hazardous waste for more than 720 hours and for purposes other than testing or pretesting after a making a change in the design or operation that could affect compliance with emission standards and prior to submitting a revised Notification of Compliance.

63.1206(b)(9)(iii)(B).....If you elect to conduct particulate matter CEMS correlation testing and wish to have federal particulate matter and opacity standards and associated operating limits waived during the testing, you must notify the Administrator by submitting the correlation test plan for review and approval.

63.1206(b)(11).....Owners and operators of cement kilns may request approval of alternative emission standards for mercury, semivolatile metal, low volatile metal, and hydrochloric acid/chlorine gas under certain conditions.

#### IV. Reporting Requirements (continued)

**20.** 63.1210: continued

(a)(2) continued

Reference Notification, request, petition, or application

63.1206(b)(14).....Owners and operators of incinerators may comply with an alternative particulate matter standard of 68 mg/dscm, corrected to 7% oxygen, under a petition documenting de minimis metals levels in feedstreams.

63.1207(c)(2).....You may request to base initial compliance on data in lieu of a comprehensive performance test.

63.1207(d)(3).....You may request more than 60 days to complete a performance test if additional time is needed for reasons beyond your control.

63.1207(i).....You may request up to a one-year time extension for conducting a performance test (other than the initial comprehensive performance test) to consolidate testing with other state or federally-required testing.

63.1207(j)(4).....You may request more than 90 days to submit a Notification of Compliance after completing a performance test if additional time is needed for reasons beyond your control.

63.1207(l)(3).....After failure of a performance test, you may request to burn hazardous waste for more than 720 hours and for purposes other than testing or pretesting.

**21.** 63.1210: continued

(a)(2) continued

Reference Notification, request, petition, or application

63.1209(l)(1).....You may request to extrapolate mercury feedrate limits.

63.1209(n)(2)(ii).....You may request to extrapolate semivolatile and low volatile metal feedrate limits.

63.10(e)(3)(ii).....You may request to reduce the frequency of excess emissions and CMS performance reports.

63.10(f).....You may request to waive recordkeeping or reporting requirements.

63.1211(e).....You may request to use data compression techniques to record data on a less frequent basis than required by Sec. 63.1209.

(b) Notification of intent to comply (NIC). (1) You must prepare a Notification of Intent to Comply that includes the following information:

(i) General information:

#### **IV. Reporting Requirements (continued)**

**22.** 63.1210: continued

(b)(i)(A) (A) The name and address of the owner/operator and the source;

(B) Whether the source is a major or an area source;

(C) Waste minimization and emission control technique(s) being considered;

(D) Emission monitoring technique(s) you are considering;

(E) Waste minimization and emission control technique(s) effectiveness;

(F) A description of the evaluation criteria used or to be used to select waste minimization and/or emission control technique(s); and

(G) A statement that you intend to comply with the emission standards of this subpart.

(ii) As applicable to each source, information on key activities and estimated dates for these activities that will bring the source into compliance with emission control requirements of this subpart. The submission of key activities and dates is not intended to be static and you may revise them during the period the NIC is in effect. You must submit revisions to the Administrator and make them available to the public. You must include the following key activities and dates:

(A) The dates by which you will develop engineering designs for emission control systems or process changes for emissions;

(B) The date by which you will commit internal or external resources for installing emission control systems or making process changes for emission control, or the date by which you will issue orders for the purchase of component parts to accomplish emission control or process changes.

(C) The date by which you will submit construction applications;

(D) The date by which you will initiate on-site construction, installation of emission control equipment, or process change;

(E) The date by which you will complete on-site construction, installation of emission control equipment, or process change; and

#### **IV. Reporting Requirements (continued)**

**23.** 63.1210: continued

(b)(ii)(F) The date by which you will achieve final compliance. The individual dates and milestones listed in paragraphs (b)(1)(ii)(A) through (F) of this section as part of the NIC are not requirements and therefore are not enforceable deadlines; the requirements of paragraphs (b)(1)(ii)(A) through (F) of this section must be included as part of the NIC only to inform the public of your intention to comply with the emission standards of this subpart.

(iii) A summary of the public meeting required under paragraph (c) of this section.

(iv) If you do not intend to comply, but will not stop burning hazardous waste by October 1, 2001, a certification that:

(A) You will stop burning hazardous waste on or before September 30, 2002; and

(B) It is necessary to combust the hazardous waste from another on-site source, during the year prior to September 30, 2002 because that other source is:

(1) Installing equipment to come into compliance with the emission standards of this subpart; or

(2) Installing source reduction modifications to eliminate the need for further combustion of wastes.

(2) You must make a draft of the NIC available for public review no later than 30 days prior to the public meeting required under paragraph (c)(1) of this section.

(3) You must submit the final NIC to the Administrator no later than October 2, 2000.

(c) NIC public meeting and notice. (1) Prior to the submission of the NIC to the permitting agency, and no later than July 31, 2000, you must hold at least one informal meeting with the public to discuss anticipated activities described in the draft NIC for achieving compliance with the emission standards of this subpart. You must post a sign-in sheet or otherwise provide a voluntary opportunity for attendees to provide their names and addresses.

#### IV. Reporting Requirements (continued)

**24.** 63.1210: continued

(c)(2) You must submit a summary of the meeting, along with the list of attendees and their addresses, developed under paragraph (c)(1) of this section, and copies of any written comments or materials submitted at the meeting, to the Administrator as part of the final NIC, in accordance with paragraph (b)(1)(iii) of this section.

(3) You must provide public notice of the NIC meeting at least 30 days prior to the meeting. You must provide public notice in all of the following forms:

(i) Newspaper advertisement. You must publish a notice in a newspaper of general circulation in the county or equivalent jurisdiction of your facility. In addition, you must publish the notice in newspapers of general circulation in adjacent counties or equivalent jurisdiction where such publication would be necessary to inform the affected public. You must publish the notice as a display advertisement.

(ii) Visible and accessible sign. You must post a notice on a clearly marked sign at or near the source. If you place the sign on the site of the hazardous waste combustor, the sign must be large enough to be readable from the nearest spot where the public would pass by the site.

(iii) Broadcast media announcement. You must broadcast a notice at least once on at least one local radio station or television station.

(iv) Notice to the facility mailing list. You must provide a copy of the notice to the facility mailing list in accordance with 124.10(c)(1)(ix) of this chapter.

(4) You must include the following in the notices required under paragraph (c)(3) of this section:

(i) The date, time, and location of the meeting;

(ii) A brief description of the purpose of the meeting;

(iii) A brief description of the source and proposed operations, including the address or a map (e.g., a sketched or copied street map) of the source location;

**25.** 63.1210: continued

(c)(4)(iv) A statement encouraging people to contact the source at least 72 hours before the meeting if they need special access to participate in the meeting;

(v) A statement describing how the draft NIC can be obtained; and

(vi) The name, address, and telephone number of a contact person for the NIC.

(d) Notification of compliance. (1) The Notification of Compliance status requirements of 63.9(h) apply, except that:

(i) The notification is a Notification of Compliance, rather than compliance status;

(ii) The notification is required for the initial comprehensive performance test and each subsequent comprehensive and confirmatory performance test; and

(iii) You must postmark the notification before the close of business on the 90th day following completion of relevant compliance demonstration activity specified in this subpart rather than the 60th day as required by 63.9(h)(2)(ii).

(2) Upon postmark of the Notification of Compliance, the operating parameter limits identified in the Notification of Compliance, as applicable, shall be complied with, the limits identified in the Documentation of Compliance or a previous Notification of Compliance are no longer applicable.

(3) The Notification of Compliance requirements of 63.1207(j) also apply.

#### IV. Reporting Requirements (continued)

**26.** 40 CFR 63, Subpart EEE: Notification, Reporting and Recordkeeping

63.1211: What are the recordkeeping and reporting requirements?

(a) Summary of reporting requirements. You must submit the following reports to the Administrator:

Reference	Report
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63.1211(b).....	Compliance progress report associated and submitted with the notification of intent to comply.
63.10(d)(4).....	Compliance progress reports, if required as a condition of an extension of the compliance date granted under Sec. 63.6(i).
63.1206(c)(3)(vi).....	Excessive exceedances reports.
63.1206(c)(4)(iv).....	Emergency safety vent opening reports.
63.10(d)(5)(i).....	Periodic startup, shutdown, and malfunction reports.
63.10(d)(5)(ii).....	Immediate startup, shutdown, and malfunction reports.
63.10(e)(3).....	Excessive emissions and continuous monitoring system performance report and summary report.

**27.** 63.1211: continued

(b) Compliance progress reports associated with the notification of intent to comply -- (1) General. If you intend to comply with the emission standards and operating requirements of this subpart, then not later than October 1, 2001, you must comply with the following, unless you comply with paragraph (b)(2)(ii) of this section:

(i) Develop engineering design for any physical modifications to the source needed to comply with the emission standards of this subpart;

(ii) Submit applicable construction applications to the Administrator; and

(iii) Document an internal or external commitment of resources, i.e. funds or personnel, to purchase, fabricate, and install any equipment, devices, and ancillary structures needed to comply with the emission standards and operating requirements of this subpart.

(2) Progress Report. (i) You must submit to the Administrator a progress report on or before October 1, 2001 which contains information documenting that you have met the requirements of paragraph (b)(1) of this section. This information will be used by the Administrator to determine if you have made adequate progress towards compliance with the emission standards of this subpart. In any evaluation of adequate progress, the Administrator may consider any delays in a source's progress caused by the time required to obtain necessary permits from governmental regulatory agencies when the sources have submitted timely and complete permit applications.

(ii) If you intend to comply with the emission standards and operating requirements of this subpart, but can do so without undertaking any of the activities described in paragraph (b)(1) of this section, you must submit a progress report documenting either:

(A) That you, at the time of the progress report, are in compliance with the emission standards and operating requirements; or

#### IV. Reporting Requirements (continued)

**28.** 63.1211: continued

(b)(2)(ii)(B) The steps you will take to comply, without undertaking any of the activities listed in paragraphs (b)(1)(i) through (b)(1)(iii) of this section.

(iii) If you do not comply with paragraphs (b)(1) or (b)(2)(ii) of this section, you must stop burning hazardous waste on or before October 1, 2001.

(3) Schedule. (i) You must include in the progress report a detailed schedule that lists key dates for all projects that will bring the source into compliance with the emission standards and operating requirements of this subpart for the time period between submission of the progress report and the compliance date of the emission standards and operating requirements of this subpart.

(ii) The schedule must contain anticipated or actual dates for the following:

(A) Bid and award dates, as necessary, for construction contracts and equipment supply contractors;

(B) Milestones such as ground breaking, completion of drawings and specifications, equipment deliveries, intermediate construction completions, and testing;

(C) The dates on which applications will be, submitted for operating permits or licenses;

(D) The dates by which approvals of any permits or licenses are anticipated; and

(E) The projected date by which you expect to comply with the emission standards and operating requirements of this subpart.

(4) Notice of intent to comply. You must include a statement in the progress report that you intend or do not intend to comply with the emission standards and operating requirements of this subpart.

**29.** 63.1211: continued

(b)(5) Sources that do not intend to comply. (i) If you indicated in your NIC your intent not to comply with the emission standards and operating requirements of this subpart and stop burning hazardous waste prior to submitting a progress report, or if you meet the requirements of 63.1206(a)(2), you are exempt from the requirements of paragraphs (b)(1) through (b)(4) of this section. However, you must submit and include in a revised NIC the date on which you stopped burning hazardous waste and the date(s) you submitted, or plan to submit RCRA closure documents.

(ii) If you signify in the progress report, submitted not later than October 1, 2001, your intention not to comply with the emission standards and operating requirements of this subpart, you must stop burning hazardous waste on or before October 1, 2001 and you are exempt from the requirements of paragraphs (b)(1) through (b)(3) of this section.

(c) Summary of recordkeeping requirements. You must retain the following in the operating record:

Reference	Document, data, or information
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63.1201(a), 63.10(b) and (c).....	General. Information required to document and maintain compliance with the regulations of this Subpart EEE, including data recorded by continuous monitoring systems (CMS), and copies of all notifications, reports, plans, and other documents submitted to the Administrator.
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63.1211(d).....	Documentation of compliance.
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#### IV. Reporting Requirements (continued)

**30.** 63.1211: continued

(c) continued

Reference Document, data, or information

- 63.1206(c)(3)(vii).....Documentation and results of the automatic waste feed cutoff operability testing.
- 63.1209(c)(2).....Feedstream analysis plan.
- 63.1204(d)(3).....Documentation of compliance with the emission averaging requirements for cement kilns with in-line raw mills.
- 63.1204(e)(3).....Documentation of compliance with the emission averaging requirements for preheater or preheater/precalciner kilns with dual stacks.
- 63.1206(b)(1)(ii)(B).....If you elect to comply with all applicable requirements and standards promulgated under authority of the Clean Air Act, including Sections 112 and 129, in lieu of the requirements of this Subpart EEE when not burning hazardous waste, you must document in the operating record that you are in compliance with those requirements.
- 63.1206(c)(2).....Startup, shutdown, and malfunction plan.
- 63.1206(c)(3)(v).....Corrective measures for any automatic waste feed cutoff that results in an exceedance of an emission standard or operating parameter limit.
- 63.1206(c)(4)(ii).....Emergency safety vent operating plan.
- 63.1206(c)(4)(iii).....Corrective measures for any emergency safety vent opening.

**31.** 63.1211: continued

(c) continued

Reference Document, data, or information

- 63.1206(c)(5)(ii).....Method used for control of combustion system leaks.
- 63.1206(c)(6).....Operator training and certification program.
- 63.1206(c)(7)(i)(D), 63.1209(k)(6)(iii), 63.1209(k)(7)(ii), 63.1209(k)(9)(ii), 63.1209(o)(4)(iii).....Operation and maintenance plan. Documentation that a substitute activated carbon, dioxin/furan formation reaction inhibitor, or dry scrubber sorbent will provide the same level of control as the original material.

(d) Documentation of compliance. (1) By the compliance date, you must develop and include in the operating record a Documentation of Compliance.

(2) The Documentation of Compliance must identify the applicable emission standards under this subpart and the limits on the operating parameters under 63.1209 that will ensure compliance with those emission standards.

(3) You must include a signed and dated certification in the Documentation of Compliance that:

(i) Required CEMs and CMS are installed, calibrated, and continuously operating in compliance with the requirements of this subpart; and

#### **IV. Reporting Requirements (continued)**

**32.** 63.1211: continued

(d)(3)(ii) Based on an engineering evaluation prepared under your direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information and supporting documentation, and considering at a minimum the design, operation, and maintenance characteristics of the combustor and emissions control equipment, the types, quantities, and characteristics of feedstreams, and available emissions data:

(A) You are in compliance with the emission standards of this subpart; and

(B) The limits on the operating parameters under 63.1209 ensure compliance with the emission standards of this subpart.

(4) You must comply with the emission standards and operating parameter limits specified in the Documentation of Compliance.

(e) Data compression. You may submit a written request to the Administrator for approval to use data compression techniques to record data from CMS, including CEMS, on a frequency less than that required by 63.1209. You must submit the request for review and approval as part of the comprehensive performance test plan.

(1) You must record a data value at least once each ten minutes.

(2) For each CEMS or operating parameter for which you request to use data compression techniques, you must recommend:

(i) A fluctuation limit that defines the maximum permissible deviation of a new data value from a previously generated value without requiring you to revert to recording each one-minute value.

(A) If you exceed a fluctuation limit, you must record each one-minute value for a period of time not less than ten minutes.

(B) If neither the fluctuation limit nor the data compression limit are exceeded during that period of time, you may reinitiate recording data values on a frequency of at least once each ten minutes; and

**33.** 63.1211: continued

(e)(2)(ii) A data compression limit defined as the closest level to an operating parameter limit or emission standard at which reduced data recording is allowed.

(A) Within this level and the operating parameter limit or emission standard, you must record each one-minute average.

(B) The data compression limit should reflect a level at which you are unlikely to exceed the specific operating parameter limit or emission standard, considering its averaging period, with the addition of a new one-minute average.

**34.** 40 CFR 63, Subpart EEE: Notification, Reporting and Recordkeeping

63.1212: What are the other requirements pertaining to the NIC and associated progress reports?

Certification of intent to comply. (1) The Notice of Intent to Comply (NIC) and Progress Report must contain the following certification signed and dated by an authorized representative of the source: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

(2) An authorized representative is the same as a "responsible official" as defined under 63.2.

## V. Testing Requirements

1. Compliance with the emission limitations in Section A.I. of these terms and conditions shall be determined in accordance with the following methods:

- 1.a Emission Limitation:

This emissions unit shall not exceed the following available increments: 631.24 lbs CO/day; 495.62 lbs NO<sub>x</sub>/day; 229.89 lbs SO<sub>2</sub>/day and 159.29 lbs PE/day.

Applicable Compliance Method:

Daily emissions can be defined by four sets of equations using two variables. The variables are daily steam output from the heat recovery boiler and steam output from fuel-fired boilers. The constants are calculated from emission factors. Two cases apply, depending on the choice of fuel in the boilers.

Case 1 - Natural Gas

where X = heat recovery boiler output

Y = fuel-fired boiler output

$$\text{CO} = 0.325(\text{X thousand lbs}) + 0.02062(\text{Y thousand lbs})$$

$$\text{NO} = 0.458(\text{X thousand lbs}) + 0.1456(\text{Y thousand lbs})$$

$$\text{SO}_2 = 0.172(\text{X thousand lbs}) + 0.00728(\text{Y thousand lbs})$$

$$\text{PE} = 0.155(\text{X thousand lbs}) + 0.01213(\text{Y thousand lbs})$$

Case 2 - Fuel Oil

where X = heat recovery boiler output

Y = fuel-fired boiler output

$$\text{CO} = 0.325(\text{X thousand lbs}) + 0.04(\text{Y thousand lbs})$$

$$\text{NO} = 0.458(\text{X thousand lbs}) + 0.176(\text{Y thousand lbs})$$

$$\text{SO}_2 = 0.172(\text{X thousand lbs}) + 1.152 * \text{S}(\text{Y thousand lbs})$$

$$\text{PE} = 0.155(\text{X thousand lbs}) + 0.016(\text{Y thousand lbs})$$

The maximum values of X and Y are set by the steam generating capacity of the boilers:

Maximum X = 1008 thousand lbs/day (42 thousand lbs/hr)

Maximum Y = 1305.6 thousand lbs/day (54.4 thousand lbs/hr)

- 1.b Emission Limitation:

There shall be no visible emissions from any material handling operations which handle asbestos or asbestos-containing waste material.

Applicable Compliance Method:

If required, compliance shall be determined through visible emissions observations performed in accordance with 40 CFR Part 60, Appendix A, Method 22.

- 1.c Emission Limitation:

Visible particulate emissions shall not exceed 20% opacity as a six-minute average, except as provided by rule.

Applicable Compliance Method:

If required, compliance shall be determined through visible emissions observations performed in accordance with 40 CFR Part 60, Appendix A, Method 9 and the procedures specified in OAC rule 3745-17-03(B)(1).

## V. Testing Requirements (continued)

**2.a** The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

- i. the emission testing shall be conducted within 6 months prior to expiration of this permit;
- ii. the emission testing shall be conducted to demonstrate compliance with the allowable emission rates for particulates, sulfur dioxide, nitrogen oxides, carbon monoxide, lead, beryllium, mercury, hydrogen chloride and to quantify emissions of aluminum, antimony, arsenic, barium, cadmium, total chromium, copper, manganese, nickel, phosphorus, selenium, silver, thallium and zinc;
- iii. the following test methods shall be conducted for each pollutant in addition to 40 CFR Part 60, Appendix A, Methods 1-4:

Particulates - 40 CFR Part 60, Appendix A, Method 5 or Method 29;

Sulfur dioxide - 40 CFR Part 60, Appendix A, Method 6;

Nitrogen oxides - 40 CFR Part 60, Appendix A, Method 7;

Carbon monoxide - 40 CFR Part 60, Appendix A, Method 10;

Lead - 40 CFR Part 60, Appendix A, Method 12;

Beryllium - 40 CFR Part 60, Appendix A, Method 104;

Mercury - 40 CFR Part 60, Appendix A, Method 101;

Hydrogen chloride - 40 CFR Part 60, Appendix A, Method 26;

Metals (aluminum, antimony, arsenic, barium, cadmium, total chromium, copper, manganese, nickel, phosphorus, selenium, silver, thallium and zinc) - 40 CFR Part 60, Appendix A, Method 29.

Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA, Central District Office;

- iv. the test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Ohio EPA, Central District Office; and
- v. the permittee shall record the weight, in pounds, of all liquid, semi-solid or solid refuse and salvageable material charged during the test(s).

**2.b** Not later than 90 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA, Central District Office. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA, Central District Office's refusal to accept the results of the emission test(s).

Personnel from the Ohio EPA, Central District Office shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

A comprehensive written report on the results of the emission test(s) shall be signed by the person or persons responsible for the tests and submitted to the Ohio EPA, Central District Office within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Ohio EPA, Central District Office.

## **V. Testing Requirements (continued)**

**3.a** The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

i. the emission testing shall be conducted within 6 months prior to expiration of this permit;

ii. the emission testing shall be conducted to demonstrate compliance with the following:

(a) This emissions unit will maintain a minimum destruction and removal efficiency (DRE) of 99.99% for each POHC.

(b) The emissions of organic compounds from Storage Tanks no. 1501-1506, 1511-1527, 1540, T002-T024 and T027 shall be vented either through an incinerator combustion chamber or a regenerable activated carbon system. The incinerator shall destroy 99.99% of the organic vapors when in operation. The activated carbon system shall operate as a backup and at an average overall control efficiency of at least 95 percent (%) for all organic compounds.

(c) The emissions of organic compounds from the special drum handling pumpout booth shall be vented through the incinerator combustion chamber which shall destroy 99.99 percent (%) of the organic vapors when in operation.

iii. the following test methods shall be conducted: 40 CFR Part 60, Appendix A, Methods 1-4 and 23;

iv. at least 90 days prior to each test the permittee shall propose for approval by the Ohio EPA, Central District Office a test methodology for each POHC which will be burned in the ERU incinerator, each control efficiency limitation for the incinerator and if required, the control efficiency of the carbon absorber; and

v. the test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Ohio EPA, Central District Office.

**3.b** Not later than 60 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA, Central District Office. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA, Central District Office's refusal to accept the results of the emission test(s).

Personnel from the Ohio EPA, Central District Office shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

A comprehensive written report on the results of the emission test(s) shall be signed by the person or persons responsible for the tests and submitted to the Ohio EPA, Central District Office within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Ohio EPA, Central District Office.

## V. Testing Requirements (continued)

### 4. 40 CFR 63, Subpart EEE: Monitoring and Compliance Provisions

63.1207: What are the performance testing requirements?

(a) General. The provisions of 63.7 apply, except as noted below.

(b) Types of performance tests -- (1) Comprehensive performance test. You must conduct comprehensive performance tests to demonstrate compliance with the emission standards provided by 63.1203, 63.1204, and 63.1205, establish limits for the operating parameters provided by 63.1209, and demonstrate compliance with the performance specifications for continuous monitoring systems.

(2) Confirmatory performance test. You must conduct confirmatory performance tests to:

(i) Demonstrate compliance with the dioxin/furan emission standard when the source operates under normal operating conditions; and

(ii) Conduct a performance evaluation of continuous monitoring systems required for compliance assurance with the dioxin/furan emission standard under 63.1209(k).

(c) Initial comprehensive performance test -- (1) Test date. Except as provided by paragraph (c)(2) of this section, you must commence the initial comprehensive performance test not later than six months after the compliance date.

(2) Data in lieu of the initial comprehensive performance test. (i) You may request that previous emissions test data serve as documentation of conformance with the emission standards of this subpart provided that the previous testing was:

(A) Initiated after March 30, 1998;

(B) For the purpose of demonstrating emissions under a RCRA permit issuance or reissuance proceeding under part 270 of this chapter;

(C) In conformance with the requirements of paragraph (g)(1) of this section; and

(D) Sufficient to establish the applicable operating parameter limits under 63.1209.

### 5. 63.1207: continued

(c)(2)(ii) You must submit data in lieu of the initial comprehensive performance test in lieu of (i.e., if the data are in lieu of all performance testing) or with the notification of performance test required under paragraph (e) of this section.

(d) Frequency of testing. You must conduct testing periodically as prescribed in paragraphs (d)(1) through (3) of this section. The date of commencement of the initial comprehensive performance test is the basis for establishing the deadline to commence the initial confirmatory performance test and the next comprehensive performance test. You may conduct performance testing at any time prior to the required date. The deadline for commencing subsequent confirmatory and comprehensive performance testing is based on the date of commencement of the previous comprehensive performance test. Unless the Administrator grants a time extension under paragraph (i) of this section, you must conduct testing as follows:

(1) Comprehensive performance testing. You must commence testing no later than 61 months after the date of commencing the previous comprehensive performance test. If you submit data in lieu of the initial performance test, you must commence the subsequent comprehensive performance test within 61 months of commencing the test used to provide the data in lieu of the initial performance test.

## V. Testing Requirements (continued)

### 6. 63.1207: continued

(d)(2) Confirmatory performance testing. You must commence confirmatory performance testing no later than 31 months after the date of commencing the previous comprehensive performance test. If you submit data in lieu of the initial performance test, you must commence the initial confirmatory performance test within 31 months of the date six months after the compliance date. To ensure that the confirmatory test is conducted approximately midway between comprehensive performance tests, the Administrator will not approve a test plan that schedules testing within 18 months of commencing the previous comprehensive performance test.

(3) Duration of testing. You must complete performance testing within 60 days after the date of commencement, unless the Administrator determines that a time extension is warranted based on your documentation in writing of factors beyond your control that prevent you from meeting the 60-day deadline.

(e) Notification of performance test and CMS performance evaluation, and approval of test plan and CMS performance evaluation plan. (1) The provisions of 63.7(b) and (c) and 63.8(e) apply, except:

(i) Comprehensive performance test. You must submit to the Administrator a notification of your intention to conduct a comprehensive performance test and CMS performance evaluation and a site-specific test plan and CMS performance evaluation test plan at least one year before the performance test and performance evaluation are scheduled to begin.

(A) The Administrator will notify you of approval or intent to deny approval of the site-specific test plan and CMS performance evaluation test plan within 9 months after receipt of the original plan.

(B) You must submit to the Administrator a notification of your intention to conduct the comprehensive performance test at least 60 calendar days before the test is scheduled to begin.

### 7. 63.1207: continued

(e)(1)(ii) Confirmatory performance test. You must submit to the Administrator a notification of your intention to conduct a confirmatory performance test and CMS performance evaluation and a site-specific test plan and CMS performance evaluation test plan at least 60 calendar days before the performance test is scheduled to begin. The Administrator will notify you of approval or intent to deny approval of the site-specific test plan and CMS performance evaluation test plan within 30 calendar days after receipt of the original test plans.

(2) After the Administrator has approved the site-specific test plan and CMS performance evaluation test plan, you must make the test plans available to the public for review. You must issue a public notice announcing the approval of the test plans and the location where the test plans are available for review.

(f) Content of performance test plan. The provisions of 63.7(c)(2)(i)-(iii) and (v) regarding the content of the test plan apply. In addition, you must include the following information in the test plan:

(1) Content of comprehensive performance test plan. (i) An analysis of each feedstream, including hazardous waste, other fuels, and industrial furnace feedstocks, as fired, that includes:

(A) Heating value, levels of ash (for hazardous waste incinerators only), levels of semivolatile metals, low volatile metals, mercury, and total chlorine (organic and inorganic); and

(B) Viscosity or description of the physical form of the feedstream;

(ii) For organic hazardous air pollutants established by 42 U.S.C. 7412(b)(1), excluding caprolactam (CAS number 105602) as provided by 63.60:

## V. Testing Requirements (continued)

### 8. 63.1207: continued

(f)(1)(ii)(A) An identification of such organic hazardous air pollutants that are present in the feedstream, except that you need not analyze for organic hazardous air pollutants that would reasonably not be expected to be found in the feedstream. You must identify any constituents you exclude from analysis and explain the basis for excluding them. You must conduct the feedstream analysis according to 63.1208(b)(8).;

(B) An approximate quantification of such identified organic hazardous air pollutants in the feedstreams, within the precision produced by the analytical procedures of 63.1208(b)(8); and

(C) A description of blending procedures, if applicable, prior to firing the feedstream, including a detailed analysis of the materials prior to blending, and blending ratios;

(iii) A detailed engineering description of the hazardous waste combustor, including:

(A) Manufacturer's name and model number of the hazardous waste combustor;

(B) Type of hazardous waste combustor;

(C) Maximum design capacity in appropriate units;

(D) Description of the feed system for each feedstream;

(E) Capacity of each feed system;

(F) Description of automatic hazardous waste feed cutoff system(s);

(G) Description of the design, operation, and maintenance practices for any air pollution control system; and

(H) Description of the design, operation, and maintenance practices of any stack gas monitoring and pollution control monitoring systems;

(iv) A detailed description of sampling and monitoring procedures including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis;

(v) A detailed test schedule for each hazardous waste for which the performance test is planned, including date(s), duration, quantity of hazardous waste to be burned, and other relevant factors;

## V. Testing Requirements (continued)

### 9. 63.1207: continued

(f)(1)(iv) A detailed test protocol, including, for each hazardous waste identified, the ranges of hazardous waste feedrate for each feed system, and, as appropriate, the feedrates of other fuels and feedstocks, and any other relevant parameters that may affect the ability of the hazardous waste combustor to meet the emission standards;

(vii) A description of, and planned operating conditions for, any emission control equipment that will be used;

(viii) Procedures for rapidly stopping the hazardous waste feed and controlling emissions in the event of an equipment malfunction;

(ix) A determination of the hazardous waste residence time as required by 63.1206(b)(11);

(x) If you are requesting to extrapolate metal feedrate limits from comprehensive performance test levels under 63.1209(l)(1)(i) or 63.1209(n)(2)(ii)(A):

(A) A description of the extrapolation methodology and rationale for how the approach ensures compliance with the emission standards;

(B) Documentation of the historical range of normal (i.e., other than during compliance testing) metals feedrates for each feedstream;

(C) Documentation that the level of spiking recommended during the performance test will mask sampling and analysis imprecision and inaccuracy to the extent that extrapolation of feedrates and emission rates from performance test data will be as accurate and precise as if full spiking were used;

(xi) If you do not continuously monitor regulated constituents in natural gas, process air feedstreams, and feedstreams from vapor recovery systems under 63.1209(c)(5), you must include documentation of the expected levels of regulated constituents in those feedstreams;

(xii) Documentation justifying the duration of system conditioning required to ensure the combustor has achieved steady-state operations under performance test operating conditions, as provided by paragraph (g)(1)(iii) of this section;

## V. Testing Requirements (continued)

### 10. 63.1207: continued

(f)(1)(xvi) If you are not required to conduct performance testing to document compliance with the mercury, semivolatile metal, low volatile metal, or hydrochloric acid/chlorine gas emission standards under paragraph (m) of this section, you must include with the comprehensive performance test plan documentation of compliance with the provisions of that section.

(xvii) If you propose to use a surrogate for measuring or monitoring gas flowrate, you must document in the comprehensive performance test plan that the surrogate adequately correlates with gas flowrate, as required by paragraph (m)(7) of this section, and 63.1209(j)(2), (k)(3), (m)(2)(i), (m)(5)(i), and (o)(2)(i).

(xviii) You must submit an application to request alternative monitoring under 63.1209(g)(1) not later than with the comprehensive performance test plan, as required by 63.1209(g)(1)(iii)(A).

(xix) You must document the temperature location measurement in the comprehensive performance test plan, as required by 63.1209(j)(1)(i) and 63.1209(k)(2)(i).

(xx) If your source is equipped with activated carbon injection, you must document in the comprehensive performance test plan:

(A) The manufacturer specifications for minimum carrier fluid flowrate or pressure drop, as required by 63.1209(k)(6)(ii); and

(B) Key parameters that affect carbon adsorption, and the operating limits you establish for those parameters based on the carbon used during the performance test, if you elect not to specify and use the brand and type of carbon used during the comprehensive performance test, as required by 63.1209(k)(6)(iii).

(xxi) If your source is equipped with a carbon bed system, you must include in the comprehensive performance test plan:

### 11. 63.1207: continued

(f)(1)(xxi)(A) A recommended schedule for conducting a subsequent performance test to document compliance with the dioxin/furan and mercury emission standards if you use manufacturer specifications rather than actual bed age at the time of the test to establish the initial limit on bed age, as required by 63.1209(k)(7)(i)(C); and

(B) Key parameters that affect carbon adsorption, and the operating limits you establish for those parameters based on the carbon used during the performance test, if you elect not to specify and use the brand and type of carbon used during the comprehensive performance test, as required by 63.1209(k)(7)(ii).

(xxii) If you feed a dioxin/furan inhibitor into the combustion system, you must document in the comprehensive performance test plan key parameters that affect the effectiveness of the inhibitor, and the operating limits you establish for those parameters based on the inhibitor fed during the performance test, if you elect not to specify and use the brand and type of inhibitor used during the comprehensive performance test, as required by 63.1209(k)(9)(ii).

(xxiii) If your source is equipped with a wet scrubber and you elect to monitor solids content of the scrubber liquid manually but believe that hourly monitoring of solids content is not warranted, you must support an alternative monitoring frequency in the comprehensive performance test plan, as required by 63.1209(m)(1)(i)(B)(1)(i).

(xxiv) If your source is equipped with a particulate matter control device other than a wet scrubber, baghouse, or electrostatic precipitator, you must include in the comprehensive performance test plan:

(A) Documentation to support the operating parameter limits you establish for the control device, as required by 63.1209(m)(1)(iv)(A)(4); and

## V. Testing Requirements (continued)

### 12. 63.1207: continued

(f)(1)(xxiv)(B) Support for the use of manufacturer specifications if you recommend such specifications in lieu of basing operating limits on performance test operating levels, as required by 63.1209(m)(1)(iv)(D).

(xxv) If your source is equipped with a dry scrubber to control hydrochloric acid and chlorine gas, you must document in the comprehensive performance test plan key parameters that affect adsorption, and the limits you establish for those parameters based on the sorbent used during the performance test, if you elect not to specify and use the brand and type of sorbent used during the comprehensive performance test, as required by 63.1209(o)(4)(iii)(A); and

(xxvi) Such other information as the Administrator reasonably finds necessary to determine whether to approve the performance test plan.

(2) Content of confirmatory test plan. (i) A description of your normal hydrocarbon or carbon monoxide operating levels, as specified in paragraph (g)(2)(i) of this section, and an explanation of how these normal levels were determined;

(ii) A description of your normal applicable operating parameter levels, as specified in paragraph (g)(2)(ii) of this section, and an explanation of how these normal levels were determined;

(iii) A description of your normal chlorine operating levels, as specified in paragraph (g)(2)(iii) of this section, and an explanation of how these normal levels were determined;

(iv) If you use carbon injection or a carbon bed, a description of your normal cleaning cycle of the particulate matter control device, as specified in paragraph (g)(2)(iv) of this section, and an explanation of how these normal levels were determined;

(v) A detailed description of sampling and monitoring procedures including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and planned analytical procedures for sample analysis;

## V. Testing Requirements (continued)

### 13. 63.1207: continued

(f)(2) (vi) A detailed test schedule for each hazardous waste for which the performance test is planned, including date(s), duration, quantity of hazardous waste to be burned, and other relevant factors;

(vii) A detailed test protocol, including, for each hazardous waste identified, the ranges of hazardous waste feedrate for each feed system, and, as appropriate, the feedrates of other fuels and feedstocks, and any other relevant parameters that may affect the ability of the hazardous waste combustor to meet the dioxin/furan emission standard;

(viii) A description of, and planned operating conditions for, any emission control equipment that will be used;

(ix) Procedures for rapidly stopping the hazardous waste feed and controlling emissions in the event of an equipment malfunction; and

(x) Such other information as the Administrator reasonably finds necessary to determine whether to approve the confirmatory test plan.

(g) Operating conditions during testing. You must comply with the provisions of 63.7(e). Conducting performance testing under operating conditions representative of the extreme range of normal conditions is consistent with the requirement of 63.7(e)(1) to conduct performance testing under representative operating conditions.

(1) Comprehensive performance testing -- (i) Operations during testing. For the following parameters, you must operate the combustor during the performance test under normal conditions (or conditions that will result in higher than normal emissions):

(A) Chlorine feedrate. You must feed normal (or higher) levels of chlorine during the dioxin/furan performance test;

### 14. 63.1207: continued

(g)(1)(i)(B) Ash feedrate. For hazardous waste incinerators, you must conduct the following tests when feeding normal (or higher) levels of ash: The semivolatle metal and low volatile metal performance tests; and the dioxin/furan and mercury performance tests if activated carbon injection or a carbon bed is used; and

(C) Cleaning cycle of the particulate matter control device. You must conduct the following tests when the particulate matter control device undergoes its normal (or more frequent) cleaning cycle: The particulate matter, semivolatle metal, and low volatile metal performance tests; and the dioxin/furan and mercury performance tests if activated carbon injection or a carbon bed is used.

(ii) Modes of operation. Given that you must establish limits for the applicable operating parameters specified in 63.1209 based on operations during the comprehensive performance test, you may conduct testing under two or more operating modes to provide operating flexibility.

(iii) Steady-state conditions. (A) Prior to obtaining performance test data, you must operate under performance test conditions until you reach steady-state operations with respect to emissions of pollutants you must measure during the performance test and operating parameters under 63.1209 for which you must establish limits. During system conditioning, you must ensure that each operating parameter for which you must establish a limit is held at the level planned for the performance test. You must include documentation in the performance test plan under paragraph (f) of this section justifying the duration of system conditioning.

## V. Testing Requirements (continued)

### 15. 63.1207: continued

(g)(1)(iii)(B) If you own or operate a hazardous waste cement kiln that recycles collected particulate matter (i.e., cement kiln dust) into the kiln, you must sample and analyze the recycled particulate matter prior to obtaining performance test data for levels of selected metals that must be measured during performance testing to document that the system has reached steady-state conditions (i.e., that metals levels have stabilized). You must document the rationale for selecting metals that are indicative of system equilibrium and include the information in the performance test plan under paragraph (f) of this section. To determine system equilibrium, you must sample and analyze the recycled particulate matter hourly for each selected metal, unless you submit in the performance test plan a justification for reduced sampling and analysis and the Administrator approves in writing a reduced sampling and analysis frequency.

(2) Confirmatory performance testing. You must conduct confirmatory performance testing for dioxin/furan under normal operating conditions for the following parameters:

(i) Carbon monoxide (or hydrocarbon) CEMS emission levels must be within the range of the average value to the maximum value allowed. The average value is defined as the sum of the hourly rolling average values recorded (each minute) over the previous 12 months divided by the number of rolling averages recorded during that time;

### 16. 63.1207: continued

(g)(2)(ii) Each operating limit (specified in 63.1209) established to maintain compliance with the dioxin/furan emission standard must be held within the range of the average value over the previous 12 months and the maximum or minimum, as appropriate, that is allowed. The average value is defined as the sum of the rolling average values recorded over the previous 12 months divided by the number of rolling averages recorded during that time. The average value must not include calibration data, malfunction data, and data obtained when not burning hazardous waste;

(iii) You must feed chlorine at normal feedrates or greater; and (iv) If the combustor is equipped with carbon injection or carbon bed, normal cleaning cycle of the particulate matter control device.

(h) Operating conditions during subsequent testing. (1) Current operating parameter limits established under 63.1209 are waived during subsequent comprehensive performance testing under an approved test plan.

(2) Current operating parameter limits are also waived during pretesting prescribed in the approved test plan prior to comprehensive performance testing for an aggregate time not to exceed 720 hours of operation (renewable at the discretion of the Administrator). Pretesting means:

(i) Operations when stack emissions testing for dioxin/furan, mercury, semivolatile metals, low volatile metals, particulate matter, or hydrochloric acid/chlorine gas is being performed; and

(ii) Operations to reach steady-state operating conditions prior to stack emissions testing under paragraph (g)(1)(iii) of this section.

## V. Testing Requirements (continued)

### 17. 63.1207: continued

(i) Time extension for subsequent performance tests. After the initial comprehensive performance test, you may request up to a one-year time extension for conducting a comprehensive or confirmatory performance test to consolidate performance testing with other state or federally required emission testing, or for other reasons deemed acceptable by the Administrator. If the Administrator grants a time extension for a comprehensive performance test, the deadlines for commencing the next comprehensive and confirmatory tests are based on the date that the subject comprehensive performance test commences.

(1) You must submit in writing to the Administrator any request under this paragraph for a time extension for conducting a performance test.

(2) You must include in the request for an extension for conducting a performance test the following:

(i) A description of the reasons for requesting the time extension;

(ii) The date by which you will commence performance testing.

(3) The Administrator will notify you in writing of approval or intention to deny approval of your request for an extension for conducting a performance test within 30 calendar days after receipt of sufficient information to evaluate your request. The 30-day approval or denial period will begin after you have been notified in writing that your application is complete. The Administrator will notify you in writing whether the application contains sufficient information to make a determination within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that you submit.

### 18. 63.1207: continued

(i)(4) When notifying you that your application is not complete, the Administrator will specify the information needed to complete the application. The Administrator will also provide notice of opportunity for you to present, in writing, within 30 calendar days after notification of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(5) Before denying any request for an extension for performance testing, the Administrator will notify you in writing of the Administrator's intention to issue the denial, together with:

(i) Notice of the information and findings on which the intended denial is based; and

(ii) Notice of opportunity for you to present in writing, within 15 calendar days after notification of the intended denial, additional information or arguments to the Administrator before further action on the request.

(6) The Administrator's final determination to deny any request for an extension will be in writing and will set forth specific grounds upon which the denial is based. The final determination will be made within 30 calendar days after the presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(j) Notification of compliance -- (1) Comprehensive performance test. (i)

Within 90 days of completion of a comprehensive performance test, you must postmark a Notification of Compliance documenting compliance or noncompliance with the emission standards and continuous monitoring system requirements, and identifying operating parameter limits under 63.1209.

## V. Testing Requirements (continued)

### 19. 63.1207: continued

(j)(1)(ii) Upon postmark of the Notification of Compliance, you must comply with all operating requirements specified in the Notification of Compliance in lieu of the limits specified in the Documentation of Compliance required under 63.1211(d).

(2) Confirmatory performance test. Except as provided by paragraph (j)(4) of this section, within 90 days of completion of a confirmatory performance test, you must postmark a Notification of Compliance documenting compliance or noncompliance with the applicable dioxin/furan emission standard.

(3) See 63.7(g), 63.9(h), and 63.1210(d) for additional requirements pertaining to the Notification of Compliance (e.g., you must include results of performance tests in the Notification of Compliance).

(4) Time extension. You may submit a written request to the Administrator for a time extension documenting that, for reasons beyond your control, you may not be able to meet the 90-day deadline for submitting the Notification of Compliance after completion of testing. The Administrator will determine whether a time extension is warranted.

(k) Failure to submit a timely notification of compliance. (1) If you fail to postmark a Notification of Compliance by the specified date, you must cease hazardous waste burning immediately.

(2) Prior to submitting a revised Notification of Compliance as provided by paragraph (k)(3) of this section, you may burn hazardous waste only for the purpose of pretesting or comprehensive performance testing and only for a maximum of 720 hours (renewable at the discretion of the Administrator).

(3) You must submit to the Administrator a Notification of Compliance subsequent to a new comprehensive performance test before resuming hazardous waste burning.

### 20. 63.1207: continued

(l) Failure of performance test -- (1) Comprehensive performance test. (i) If you determine (based on CEM recordings, results of analyses of stack samples, or results of CMS performance evaluations) that you have exceeded any emission standard during a comprehensive performance test for a mode of operation, you must cease hazardous waste burning immediately under that mode of operation. You must make this determination within 90 days following completion of the performance test.

(ii) If you have failed to demonstrate compliance with the emission standards for any mode of operation:

(A) Prior to submitting a revised Notification of Compliance as provided by paragraph (l)(1)(ii)(C) of this section, you may burn hazardous waste only for the purpose of pretesting or comprehensive performance testing under revised operating conditions, and only for a maximum of 720 hours (renewable at the discretion of the Administrator), except as provided by paragraph (l)(3) of this section;

(B) You must conduct a comprehensive performance test under revised operating conditions following the requirements for performance testing of this section; and

(C) You must submit to the Administrator a Notification of Compliance subsequent to the new comprehensive performance test.

(2) Confirmatory performance test. If you determine (based on CEM recordings, results of analyses of stack samples, or results of CMS performance evaluations) that you have failed the dioxin/furan emission standard during a confirmatory performance test, you must cease burning hazardous waste immediately. You must make this determination within 90 days following completion of the performance test. To burn hazardous waste in the future:

## V. Testing Requirements (continued)

### 21. 63.1207: continued

(l)(2)(i) You must submit to the Administrator for review and approval a test plan to conduct a comprehensive performance test to identify revised limits on the applicable dioxin/furan operating parameters specified in 63.1209(k);

(ii) You must submit to the Administrator a Notification of Compliance with the dioxin/furan emission standard under the provisions of paragraphs (j) and (k) of this section and this paragraph (l). You must include in the Notification of Compliance the revised limits on the applicable dioxin/furan operating parameters specified in 63.1209(k); and

(iii) Until the Notification of Compliance is submitted, you must not burn hazardous waste except for purposes of pretesting or confirmatory performance testing, and for a maximum of 720 hours (renewable at the discretion of the Administrator), except as provided by paragraph (l)(3) of this section.

(3) You may petition the Administrator to obtain written approval to burn hazardous waste in the interim prior to submitting a Notification of Compliance for purposes other than testing or pretesting. You must specify operating requirements, including limits on operating parameters, that you determine will ensure compliance with the emission standards of this subpart based on available information including data from the failed performance test. The Administrator will review, modify as necessary, and approve if warranted the interim operating requirements. An approval of interim operating requirements will include a schedule for submitting a Notification of Compliance.

(m) Waiver of performance test. (1) The waiver provision of this paragraph applies in addition to the provisions of 63.7(h).

### 22. 63.1207: continued

(m)(2) You are not required to conduct performance tests to document compliance with the mercury, semivolatile metal, low volatile metal or hydrochloric acid/chlorine gas emission standards under the conditions specified below. You are deemed to be in compliance with an emission standard if the 12-hour rolling average maximum theoretical emission concentration (MTEC) determined as specified below does not exceed the emission standard:

(i) Determine the feedrate of mercury, semivolatile metals, low volatile metals, or total chlorine and chloride from all feedstreams;

(ii) Determine the stack gas flowrate; and

(iii) Calculate a MTEC for each standard assuming all mercury, semivolatile metals, low volatile metals, or total chlorine (organic and inorganic) from all feedstreams is emitted;

(3) To document compliance with this provision, you must:

(i) Monitor and record the feedrate of mercury, semivolatile metals, low volatile metals, and total chlorine and chloride from all feedstreams according to section 63.1209(c);

(ii) Monitor with a CMS and record in the operating record the gas flowrate (either directly or by monitoring a surrogate parameter that you have correlated to gas flowrate);

(iii) Continuously calculate and record in the operating record the MTEC under the procedures of paragraph (m)(2) of this section; and

(iv) Interlock the MTEC calculated in paragraph (m)(2)(iii) of this section to the AWFCO system to stop hazardous waste burning when the MTEC exceeds the emission standard.

(4) In lieu of the requirement in paragraphs (m)(3)(iii) and (iv) of this section, you may:

## V. Testing Requirements (continued)

### 23. 63.1207: continued

(m)(4)(i) Identify in the notification of compliance a minimum gas flowrate limit and a maximum feedrate limit of mercury, semivolatile metals, low volatile metals, and/or total chlorine and chloride from all feedstreams that ensures the MTEC as calculated in paragraph (m)(2)(iii) of this section is below the applicable emission standard; and

(ii) Interlock the minimum gas flowrate limit and maximum feedrate limit in paragraph (m)(3)(iv) of this section to the AWFCO system to stop hazardous waste burning when the gas flowrate or mercury, semivolatile metals, low volatile metals, and/or total chlorine and chloride feedrate exceeds the limit in paragraph (m)(4)(i) of this section.

(5) When you determine the feedrate of mercury, semivolatile metals, low volatile metals, or total chlorine and chloride for purposes of this provision, except as provided by paragraph (m)(6) of this section, you must assume that the analyte is present at the full detection limit when the feedstream analysis determines that the analyte is not detected in the feedstream.

(6) Owners and operators of hazardous waste burning cement kilns and lightweight aggregate kilns may assume that mercury is present in raw material at half the detection limit when the raw material feedstream analysis determines that mercury is not detected.

(7) You must state in the site-specific test plan that you submit for review and approval under paragraph (e) of this section that you intend to comply with the provisions of this paragraph. You must include in the test plan documentation that any surrogate that is proposed for gas flowrate adequately correlates with the gas flowrate.

### 24. 63.1207: continued

(n) Feedrate limits for nondetectable constituents. (1) You must establish separate semivolatile metal, low volatile metal, mercury, and total chlorine (organic and inorganic), and/or ash feedrate limits for each feedstream for which the comprehensive performance test feedstream analysis determines that these constituents are not present at detectable levels.

(2) You must define the feedrate limits established under paragraph (n)(1) of this section as nondetect at the full detection limit achieved during the performance test.

(3) You will not be deemed to be in violation of the feedrate limit established in paragraph (n)(2) of this section when detectable levels of the constituent are measured, whether at levels above or below the full detection limit achieved during the performance test, provided that:

(i) Your total feedrate for that constituent, including the detectable levels in the feedstream which is limited to nondetect levels, is below your feedrate limit for that constituent; or

(ii) Except for ash, your maximum theoretical emission concentration (MTEC) for the constituent (i.e., semivolatile metal, low volatile metal, mercury, and/or hydrochloric acid/chlorine gas) calculated according to paragraph (m) of this section, and considering the contribution from all feedstreams including the detectable levels in the feedstream which is limited to nondetect levels, is below the emission standard in 63.1203, 63.1204, and 63.1205.

## V. Testing Requirements (continued)

### 25. 40 CFR 63, Subpart EEE: Monitoring and Compliance Provisions

63.1208: What are the test methods?

(a) References. When required in subpart EEE of this part, the following publication is incorporated by reference, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846 Third Edition (November 1986), as amended by Updates I (July 1992), II (September 1994), IIA (August 1993), IIB (January 1995), and III (December 1996). The Third Edition of SW-846 and Updates I, II, IIA, IIB, and III (document number 955-001-00000-1) are available for the Superintendent of Document, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800. Copies of the Third Edition and its updates are also available from the National Technical Information Services (NTIS), 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4650. Copies may be inspected at the Library, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

(b) Test methods. You must use the following test methods to determine compliance with the emissions standards of this subpart:

(1) Dioxins and furans. (i) You must use Method 0023A, Sampling Method for Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans emissions from Stationary Sources, EPA Publication SW-846, as incorporated by reference in paragraph (a) of this section, to determine compliance with the emission standard for dioxins and furans;

(ii) You must sample for a minimum of three hours, and you must collect a minimum sample volume of 2.5 dscm;

(iii) You may assume that nondetects are present at zero concentration.

(2) Mercury. You must use Method 29, provided in appendix A, part 60 of this chapter, to demonstrate compliance with emission standard for mercury.

### 26. 63.1208: continued

(b)(3) Cadmium and lead. You must use Method 29, provided in appendix A, part 60 of this chapter, to determine compliance with the emission standard for cadmium and lead (combined).

(4) Arsenic, beryllium, and chromium. You must use Method 29, provided in appendix A, part 60 of this chapter, to determine compliance with the emission standard for arsenic, beryllium, and chromium (combined).

(5) Hydrochloric acid and chlorine gas. You may use Methods 26A, 320, or 321 provided in appendix A, part 60 of this chapter, to determine compliance with the emission standard for hydrochloric acid and chlorine gas (combined). You may use Methods 320 or 321 to make major source determinations under 63.9(b)(2)(v).

(6) Particulate matter. You must use Methods 5 or 5I, provided in appendix A, part 60 of this chapter, to demonstrate compliance with the emission standard for particulate matter.

(7) Other Test Methods. You may use applicable test methods in EPA Publication SW-846, as incorporated by reference in paragraph (a) of this section, as necessary to demonstrate compliance with requirements of this subpart, except as otherwise specified in paragraphs (b)(2)-(b)(6) of this section.

(8) Feedstream analytical methods. You may use any reliable analytical method to determine feedstream concentrations of metals, chlorine, and other constituents. It is your responsibility to ensure that the sampling and analysis procedures are unbiased, precise, and that the results are representative of the feedstream. For each feedstream, you must demonstrate that:

(i) Each analyte is not present above the reported level at the 80% upper confidence limit around the mean; and

**V. Testing Requirements (continued)**

**27.** 63.1208: continued

(b)(8)(ii) The analysis could have detected the presence of the constituent at or below the reported level at the 80% upper confidence limit around the mean. (See Guidance for Data Quality Assessment -- Practical Methods for Data Analysis, EPA QA/G-9, January 1998, EPA/600/R-96/084).

(9) Opacity. If you determine compliance with the opacity standard under the monitoring requirements of 63.1209(a)(1)(iv) and (a)(1)(v), you must use Method 9, provided in appendix A, part 60 of this chapter.

**VI. Miscellaneous Requirements**

**None**

**B. State Enforceable Section**

**I. Applicable Emissions Limitations and/or Control Requirements**

1. The specific operation(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be employed. Additional applicable emissions limitations and/or control measures (if any) may be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/ Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
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**2. Additional Terms and Conditions**

None

**II. Operational Restrictions**

None

**III. Monitoring and/or Record Keeping Requirements**

None

**IV. Reporting Requirements**

None

**V. Testing Requirements**

None

**VI. Miscellaneous Requirements**

None

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