NOTICE OF 30-DAY PERIOD
FOR PUBLIC COMMENT

Preliminary Findings Regarding a New Source Review and Renewal of a Federally Enforceable State Operating Permit (FESOP) for Accra-Pac, Inc. in Elkhart County

FESOP Renewal No.: F039-41619-00050

The Indiana Department of Environmental Management (IDEM) has received an application from Accra-Pak, Inc., located at 1919 Superior Street, for a new source review and renewal of its FESOP issued on April 7, 2015. If approved by IDEM’s Office of Air Quality (OAQ), this proposed permit would allow Accra-Pak, Inc. to make certain changes at its existing source. Accra-Pak, Inc. has applied to change its name from APG, Inc. to Accra-Pac, Inc. due to an acquisition, add one (1) line to its Radar Line operations, add one (1) emergency generator, and add one (1) existing line and remove two (2) lines from the Tube/Stick/Other Filling Lines.

The applicant intends to construct and operate new equipment that will emit air pollutants; therefore, the permit contains new or different permit conditions. In addition, some conditions from previously issued permits/approvals have been corrected, changed, or removed. These corrections, changes, and removals may include Title I changes (e.g., changes that add or modify synthetic minor emission limits). The potential to emit regulated air pollutants will continue to be limited to less than the Title V and PSD major threshold levels. IDEM has reviewed this application and has developed preliminary findings, consisting of a draft permit and several supporting documents, which would allow the applicant to make this change.

A copy of the permit application and IDEM’s preliminary findings are available at:

Elkhart Public Library - Downtown
300 South Second Street
Elkhart, IN 46516

and

IDEM Northern Regional Office
300 North Dr. Martin Luther King Jr. Boulevard, Suite 450
South Bend, IN 46601-1295

A copy of the preliminary findings is available on the Internet at: http://www.in.gov/ai/appfiles/idem-caats/.

A copy of the preliminary findings is also available via IDEM’s Virtual File Cabinet (VFC.) Please go to: http://www.in.gov/idem/ and enter VFC in the search box. You will then have the option to search for permit documents using a variety of criteria.

How can you participate in this process?

The date that this notice is posted on IDEM’s website (https://www.in.gov/idem/5474.htm) marks the beginning of a 30-day public comment period. If the 30th day of the comment period falls on a day when IDEM offices are closed for business, all comments must be postmarked or delivered in person on the next business day that IDEM is open.
You may request that IDEM hold a public hearing about this draft permit. If adverse comments concerning the air pollution impact of this draft permit are received, with a request for a public hearing, IDEM will decide whether or not to hold a public hearing. IDEM could also decide to hold a public meeting instead of, or in addition to, a public hearing. If a public hearing or meeting is held, IDEM will make a separate announcement of the date, time, and location of that hearing or meeting. At a hearing, you would have an opportunity to submit written comments and make verbal comments. At a meeting, you would have an opportunity to submit written comments, ask questions, and discuss any air pollution concerns with IDEM staff.

Comments and supporting documentation, or a request for a public hearing should be sent in writing to IDEM at the address below. If you comment via e-mail, please include your full U.S. mailing address so that you can be added to IDEM’s mailing list to receive notice of future action related to this permit. If you do not want to comment at this time, but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to permit number F039-41619-00050 in all correspondence.

Comments should be sent to:

Andrea M. Smith  
IDEM, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
(800) 451-6027, ask for Andrea M. Smith or (317) 234-8339  
Or dial directly: (317) 234-8339  
Fax: (317) 232-6749 attn: Andrea M. Smith  
E-mail: amsmit@idem.IN.gov

All comments will be considered by IDEM when we make a decision to issue or deny the permit. Comments that are most likely to affect final permit decisions are those based on the rules and laws governing this permitting process (326 IAC 2), air quality issues, and technical issues. IDEM does not have legal authority to regulate zoning, odor, or noise. For such issues, please contact your local officials.

For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on the Internet at: http://www.in.gov/idem/airquality/2356.htm; and the Citizens’ Guide to IDEM on the Internet at: http://www.in.gov/idem/6900.htm.

What will happen after IDEM makes a decision?

Following the end of the public comment period, IDEM will issue a Notice of Decision stating whether the permit has been issued or denied. If the permit is issued, it may be different than the draft permit because of comments that were received during the public comment period. If comments are received during the public notice period, the final decision will include a document that summarizes the comments and IDEM’s response to those comments. If you have submitted comments or have asked to be added to the mailing list, you will receive a Notice of the Decision. The notice will provide details on how you may appeal IDEM’s decision, if you disagree with that decision. The final decision will also be available on the Internet at the address indicated above, at the local library indicated above, IDEM Northern Regional Office, and the IDEM public file room on the 12th floor of the Indiana Government Center North, 100 N. Senate Avenue, Indianapolis, Indiana 46204-2251.

If you have any questions, please contact Andrea M. Smith of my staff at the above address.

[Signature]
Irynn Callung, Section Chief  
Permits Branch  
Office of Air Quality
DRAFT

New Source Review and Federally Enforceable State Operating Permit Renewal
OFFICE OF AIR QUALITY

Accra-Pak, Inc.
1919 Superior Street
Elkhart, Indiana 46516

(herein known as the Permittee) is hereby authorized to construct and operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. 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 conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17. This permit also addresses certain new source review requirements for existing equipment and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-8-11.1, applicable to those conditions.

Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a FESOP under 326 IAC 2-8.

<table>
<thead>
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<tbody>
<tr>
<td>Master Agency Interest ID: 12178</td>
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<tr>
<td>Issued by:</td>
</tr>
<tr>
<td>Iryn Calilung, Section Chief</td>
</tr>
<tr>
<td>Permits Branch</td>
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<tr>
<td>Office of Air Quality</td>
</tr>
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<td>Issuance Date:</td>
</tr>
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SECTION A  SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-8-3(b)]

The Permittee owns and operates a stationary a stationary consumer product packaging plant.

Source Address: 1919 Superior Street, Elkhart, Indiana 46516
General Source Phone Number: (574) 295-0000x315333
SIC Code: 7389 (Business Services; Not Elsewhere Classified), 2844 (Perfumes, Cosmetics, and Other Toilet Preparatoins), 2834 (Pharmaceutical Preparations),
County Location: Elkhart
Source Location Status: Attainment for all criteria pollutants
Source Status: Federally Enforceable State Operating Permit Program Minor Source, under PSD and Emission Offset Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-8-3(c)(3)]

This stationary source consists of the following emission units and pollution control devices:

(a) Three (3) Liquid Product Lines, each constructed in 1999, uncontrolled, venting inside, and consisting of three (3) liquid product filling operations, identified as Lines 21A, 21B and Line 31, with a total maximum throughput rate of 1,012.5 gal/hour.

(b) Five (5) Tube/Stick/Other Product Lines, each constructed in 1999, uncontrolled, venting inside, and consisting of five (5) filling operations, identified as Lines 20, 23, 24, 26, and 28, with a total maximum throughput rate of 580.9 gal/hour.

(c) One (1) Corporate Aerosol Line, identified as Line 40, constructed in 1999 and modified in 2012, with a maximum production rate of 1,478 gallons per hour, and 19,500 cans per hour, uncontrolled, and venting inside.

(d) Three (3) Frontier Lines, identified as follows, each constructed in 2012 and modified in 2013 to adjust for size distribution, uncontrolled, and venting inside.

<table>
<thead>
<tr>
<th>Frontier Lines</th>
<th>Maximum Throughput (cans/hr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Line 51</td>
<td>6750</td>
</tr>
<tr>
<td>Line 52</td>
<td>6750</td>
</tr>
<tr>
<td>Line 53</td>
<td>6750</td>
</tr>
</tbody>
</table>

(e) Four (4) Radar Lines, identified as follows, each with a maximum production of 1,615 gallons per hour and 19,500 cans per hour each, uncontrolled, and venting inside.
### Radar Lines

<table>
<thead>
<tr>
<th>Radar Lines</th>
<th>Maximum Throughput (cans/hr)</th>
<th>Construction Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-2</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-3</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-4</td>
<td>19500</td>
<td>Approved in 2019 for construction</td>
</tr>
</tbody>
</table>

(f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:

<table>
<thead>
<tr>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>35</td>
<td>Tank 107-3</td>
<td>400</td>
<td>21BT5</td>
<td>1,100</td>
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<tr>
<td>17</td>
<td>1,000</td>
<td>C-1</td>
<td>425</td>
<td>CP7</td>
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<td>MT#3</td>
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<td>D-1</td>
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<td>CP8</td>
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<td>D</td>
<td>400</td>
<td>-</td>
<td>-</td>
<td>-</td>
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(g) Eleven (11) Holding Tanks (Run Tanks), identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:

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<thead>
<tr>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
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<td>1231</td>
<td>175</td>
<td>13</td>
<td>1,360</td>
</tr>
<tr>
<td>16</td>
<td>200</td>
<td>14</td>
<td>1,360</td>
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<tr>
<td>K</td>
<td>250</td>
<td>21BT7</td>
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</tr>
<tr>
<td>OBT02</td>
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<td>21BT8</td>
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</tr>
<tr>
<td>Tank L</td>
<td>500</td>
<td>-</td>
<td>-</td>
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(h) Seven (7) Volatile Organic Liquid (VOL) Storage Tanks, identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:

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<tr>
<td>SA-4</td>
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</table>

(i) Five (5) Natural Gas-Fired Boilers, identified as follows, uncontrolled, and venting inside:
A.3 Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-8-3(c)(3)(I)]

This stationary source also includes the following insignificant activities:

(a) One (1) Can Punch-Out Process for containers containing no VOC and HAPs.

(b) One (1) 208 horsepower emergency diesel-fired compression ignition Fire Pump Engine, identified as E1, and installed in 1994.

Under 40 CFR 63, Subpart ZZZZ, E1 is considered existing RICE.

(c) One (1) natural gas powered, spark ignition Emergency Generator with a maximum capacity of 40 kilowatt (53.64 horsepower), identified as E2, constructed in August 2010, exhausting to the atmosphere.

Under 40 CFR 60, Subpart JJJJ, E2 is considered an emergency SI ICE.

Under 40 CFR 63, Subpart ZZZZ, E2 is considered a new RICE.

A.4 FESOP Applicability [326 IAC 2-8-2]

This stationary source, otherwise required to have a Part 70 permit as described in 326 IAC 2-7-2(a), has applied to the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) to renew a Federally Enforceable State Operating Permit (FESOP).
SECTION B  GENERAL CONDITIONS

B.1 Definitions [326 IAC 2-8-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

B.2 Permit Term [326 IAC 2-8-4(2)][326 IAC 2-1.1-9.5][IC 13-15-3-6(a)]

(a) This permit, F039-41619-00050, is issued for a fixed term of ten (10) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.

(b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, until the renewal permit has been issued or denied.

B.3 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

(a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or

(b) the emission unit to which the condition pertains permanently ceases operation.

B.4 Enforceability [326 IAC 2-8-6][IC 13-17-12]

Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

B.5 Severability [326 IAC 2-8-4(4)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.6 Property Rights or Exclusive Privilege [326 IAC 2-8-4(5)(D)]

This permit does not convey any property rights of any sort or any exclusive privilege.

B.7 Duty to Provide Information [326 IAC 2-8-4(5)(E)]

(a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.

(b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U.S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.
B.8 Certification  [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

(a) A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:

(1) it contains a certification by an "authorized individual", as defined by 326 IAC 2-1.1-1(1), and

(2) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.

(c) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

B.9 Annual Compliance Certification  [326 IAC 2-8-5(a)(1)]

(a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. All certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted no later than April 15 of each year to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

(b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

(c) The annual compliance certification report shall include the following:

(1) The appropriate identification of each term or condition of this permit that is the basis of the certification;

(2) The compliance status;

(3) Whether compliance was continuous or intermittent;

(4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and

(5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

The submittal by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
B.10 Compliance Order Issuance  [326 IAC 2-8-5(b)]

IDEM, OAQ may issue a compliance order to this Permittee upon discovery that this permit is in nonconformance with an applicable requirement. The order may require immediate compliance or contain a schedule for expeditious compliance with the applicable requirement.

B.11 Preventive Maintenance Plan [326 IAC 1-6-3][326 IAC 2-8-4(9)]

(a) A Preventive Maintenance Plan meets the requirements of 326 IAC 1-6-3 if it includes, at a minimum:

(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

The Permittee shall implement the PMPs.

(b) If required by specific condition(s) in Section D of this permit where no PMP was previously required, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, including the following information on each facility:

(1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;

(2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and

(3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

The Permittee shall implement the PMPs.
(c) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(d) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.12 Emergency Provisions [326 IAC 2-8-12]

(a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation except as provided in 326 IAC 2-8-12.

(b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

1. An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
2. The permitted facility was at the time being properly operated;
3. During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
4. For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ or Northern Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

   Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
   Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)
   Facsimile Number: 317-233-6865
   Northern Regional Office phone: (574) 245-4870; fax: (574) 245-4877.

5. For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

   Indiana Department of Environmental Management
   Compliance and Enforcement Branch, Office of Air Quality
   100 North Senate Avenue
   MC 61-53 IGCN 1003
   Indianapolis, Indiana 46204-2251

   within two (2) working days of the time when emission limitations were exceeded due to the emergency.
The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

(A) A description of the emergency;
(B) Any steps taken to mitigate the emissions; and
(C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(6) The Permittee immediately took all reasonable steps to correct the emergency.

(c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

(d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.

(e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.

(f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.

(g) Operations may continue during an emergency only if the following conditions are met:

(1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

(2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:

(A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
(B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.
B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]

(a) All terms and conditions of permits established prior to F039-41619-00050 and issued pursuant to permitting programs approved into the state implementation plan have been either:

(1) incorporated as originally stated,

(2) revised, or

(3) deleted.

(b) All previous registrations and permits are superseded by this permit.

B.14 Termination of Right to Operate [326 IAC 2-8-9][326 IAC 2-8-3(h)]

The Permittee’s right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source’s existing permit, consistent with 326 IAC 2-8-3(h) and 326 IAC 2-8-9.

B.15 Permit Modification, Reopening, Revocation and Reissuance, or Termination

[326 IAC 2-8-4(5)(C)][326 IAC 2-8-7(a)][326 IAC 2-8-8]

(a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Federally Enforceable State Operating Permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-8-4(5)(C)] The notification by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an “authorized individual” as defined by 326 IAC 2-1.1-1(1).

(b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ determines any of the following:

(1) That this permit contains a material mistake.

(2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.

(3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-8-8(a)]

(c) Proceedings by IDEM, OAQ to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-8-8(b)]

(d) The reopening and revision of this permit, under 326 IAC 2-8-8(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-8-8(c)]
B.16 Permit Renewal [326 IAC 2-8-3(h)]

(a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ and shall include the information specified in 326 IAC 2-8-3. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(42). The renewal application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

(b) A timely renewal application is one that is:

(1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and

(2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

(c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, pursuant to 326 IAC 2-8-3(g), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 Permit Amendment or Revision [326 IAC 2-8-10][326 IAC 2-8-11.1]

(a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]
B.18 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) and (c) without a prior permit revision, if each of the following conditions is met:

1. The changes are not modifications under any provision of Title I of the Clean Air Act;
2. Any approval required by 326 IAC 2-8-11.1 has been obtained;
3. The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
4. The Permittee notifies the:
   Indiana Department of Environmental Management
   Permit Administration and Support Section, Office of Air Quality
   100 North Senate Avenue
   MC 61-53 IGCN 1003
   Indianapolis, Indiana 46204-2251
   and
   United States Environmental Protection Agency, Region 5
   Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
   77 West Jackson Boulevard
   Chicago, Illinois 60604-3590
   in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and
5. The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-8-15(b)(1) and (c). The Permittee shall make such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ in the notices specified in 326 IAC 2-8-15(b)(1) and (c).

(b) Emission Trades [326 IAC 2-8-15(b)]
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(b).

(c) Alternative Operating Scenarios [326 IAC 2-8-15(c)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.

(d) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.
B.19  Source Modification Requirement [326 IAC 2-8-11.1]
A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2.

B.20  Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]
Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

(a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

(b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

(d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

(e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.21  Transfer of Ownership or Operational Control [326 IAC 2-8-10]

(a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.

(b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]
B.22 Annual Fee Payment [326 IAC 2-7-19][326 IAC 2-8-4(6)][326 IAC 2-8-16][326 IAC 2-1.1-7]

(a) The Permittee shall pay annual fees to IDEM, OAQ no later than thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.

(b) Failure to pay may result in administrative enforcement action or revocation of this permit.

(c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.23 Credible Evidence [326 IAC 2-8-4(3)][326 IAC 2-8-5][62 FR 8314][326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit if the appropriate performance or compliance test or procedure had been performed.
SECTION C  SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards  [326 IAC 2-8-4(1)]

C.1 Particulate Emission Limitations For Processes with Process Weight Rates Less Than One Hundred (100) Pounds per Hour [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2(e)(2), particulate emissions from any process not exempt under 326 IAC 6-3-1(b) or (c) which has a maximum process weight rate less than 100 pounds per hour and the methods in 326 IAC 6-3-2(b) through (d) do not apply shall not exceed 0.551 pounds per hour.

C.2 Overall Source Limit  [326 IAC 2-8]

The purpose of this permit is to limit this source's potential to emit to less than major source levels for the purpose of Section 502(a) of the Clean Air Act.

(a) Pursuant to 326 IAC 2-8:

(1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one hundred (100) tons per twelve (12) consecutive month period.

(2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and

(3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

(b) Pursuant to 326 IAC 2-2 (PSD), potential to emit particulate matter (PM) from the entire source shall be limited to less than two hundred fifty (250) tons per twelve (12) consecutive month period.

(c) This condition shall include all emission points at this source including those that are insignificant as defined in 326 IAC 2-7-1(21). The source shall be allowed to add insignificant activities not already listed in this permit, provided that the source's potential to emit does not exceed the above specified limits.

(d) Section D of this permit contains independently enforceable provisions to satisfy this requirement.

C.3 Opacity  [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-1 (Applicability) and 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

(a) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
(b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

C.4 Open Burning [326 IAC 4-1][IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1.

C.5 Incineration [326 IAC 4-2][326 IAC 9-1-2]

The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

C.6 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions).

C.7 Asbestos Abatement Projects [326 IAC 14-10][326 IAC 18][40 CFR 61, Subpart M]

(a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.

(b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:

1. When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or

2. If there is a change in the following:
   (A) Asbestos removal or demolition start date;  
   (B) Removal or demolition contractor; or  
   (C) Waste disposal site.

(c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).

(d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:
The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(e) Procedures for Asbestos Emission Control
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.

(f) Demolition and Renovation
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).

(g) Indiana Licensed Asbestos Inspector
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos.

Testing Requirements  [326 IAC 2-8-4(3)]

C.8 Performance Testing  [326 IAC 3-6]

(a) For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

(c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.
Compliance Requirements [326 IAC 2-1.1-11]

C.9 Compliance Requirements [326 IAC 2-1.1-11]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

Compliance Monitoring Requirements [326 IAC 2-8-4(1)][326 IAC 2-8-5(a)(1)]

C.10 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

(a) For new units:
Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units shall be implemented on and after the date of initial start-up.

(b) For existing units:
Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance to begin such monitoring. If, due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

C.11 Instrument Specifications [326 IAC 2-1.1-11][326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]

(a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale. The analog instrument shall be capable of measuring values outside of the normal range.

(b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

Corrective Actions and Response Steps [326 IAC 2-8-4][326 IAC 2-8-5(a)(1)]

C.12 Risk Management Plan [326 IAC 2-8-4][40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.
C.13 Response to Excursions or Exceedances [326 IAC 2-8-4][326 IAC 2-8-5]

Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:

(a) The Permittee shall take reasonable response steps to restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing excess emissions.

(b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:

(1) initial inspection and evaluation;

(2) recording that operations returned or are returning to normal without operator action (such as through response by a computerized distribution control system); or

(3) any necessary follow-up actions to return operation to normal or usual manner of operation.

(c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:

(1) monitoring results;

(2) review of operation and maintenance procedures and records; and/or

(3) inspection of the control device, associated capture system, and the process.

(d) Failure to take reasonable response steps shall be considered a deviation from the permit.

(e) The Permittee shall record the reasonable response steps taken.

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]

(a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall submit a description of its response actions to IDEM, OAQ no later than seventy-five (75) days after the date of the test.

(b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) days is not practicable, IDEM, OAQ may extend the retesting deadline.

(c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an “authorized individual” as defined by 326 IAC 2-1.1-1(1).
Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

C.15 General Record Keeping Requirements [326 IAC 2-8-4(3)],[326 IAC 2-8-5]

(a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. Support information includes the following, where applicable:

(AA) All calibration and maintenance records.
(BB) All original strip chart recordings for continuous monitoring instrumentation.
(CC) Copies of all reports required by the FESOP.

Records of required monitoring information include the following, where applicable:

(AA) The date, place, as defined in this permit, and time of sampling or measurements.
(BB) The dates analyses were performed.
(CC) The company or entity that performed the analyses.
/DD The analytical techniques or methods used.
(EE) The results of such analyses.
(FF) The operating conditions as existing at the time of sampling or measurement.

These records shall be physically present or electronically accessible at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

(b) Unless otherwise specified in this permit, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.

C.16 General Reporting Requirements [326 IAC 2-8-4(3)(C)],[326 IAC 2-1.1-11]

(a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Proper notice submittal under Section B -Emergency Provisions satisfies the reporting requirements of this paragraph. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported except that a deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.

(b) The address for report submittal is:
Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251

(c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.

(d) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit “calendar year” means the twelve (12) month period from January 1 to December 31 inclusive.

Stratospheric Ozone Protection

C.17 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with applicable standards for recycling and emissions reduction.
SECTION D.1  EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

(a) Three (3) Liquid Product Lines, each constructed in 1999, uncontrolled, venting inside, and consisting of three (3) liquid product filling operations, identified as Lines 21A, 21B and Line 31, with a total maximum throughput rate of 1,012.5 gal/hour.

(b) Five (5) Tube/Stick/Other Product Lines, each constructed in 1999, uncontrolled, venting inside, and consisting of five (5) filling operations, identified as Lines 20, 23, 24, 26, and 28, with a total maximum throughput rate of 580.9 gal/hour.

(c) One (1) Corporate Aerosol Line, identified as Line 40, constructed in 1999 and modified in 2012, with a maximum production rate of 1,478 gallons per hour, and 19,500 cans per hour, uncontrolled, and venting inside.

(d) Three (3) Frontier Lines, identified as follows, each constructed in 2012 and modified in 2013 to adjust for size distribution, uncontrolled, and venting inside.

<table>
<thead>
<tr>
<th>Frontier Lines</th>
<th>Maximum Throughput (cans/hr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Line 51</td>
<td>6750</td>
</tr>
<tr>
<td>Line 52</td>
<td>6750</td>
</tr>
<tr>
<td>Line 53</td>
<td>6750</td>
</tr>
</tbody>
</table>

(e) Four (4) Radar Lines, identified as follows, each with a maximum production of 1,615 gallons per hour and 19,500 cans per hour each, uncontrolled, and venting inside.

<table>
<thead>
<tr>
<th>Radar Lines</th>
<th>Maximum Throughput (cans/hr)</th>
<th>Construction Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-2</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-3</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-4</td>
<td>19500</td>
<td>Approved in 2019 for construction</td>
</tr>
</tbody>
</table>

(f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:

<table>
<thead>
<tr>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>35</td>
<td>Tank 107-3</td>
<td>400</td>
<td>21BT5</td>
<td>1,100</td>
</tr>
<tr>
<td>17</td>
<td>1,000</td>
<td>C-1</td>
<td>425</td>
<td>CP7</td>
<td>1,100</td>
</tr>
<tr>
<td>MT#3</td>
<td>100</td>
<td>D-1</td>
<td>425</td>
<td>109-1</td>
<td>3,000</td>
</tr>
<tr>
<td>CP8</td>
<td>125</td>
<td>OBT1</td>
<td>500</td>
<td>109-2</td>
<td>3,000</td>
</tr>
<tr>
<td>MT#1</td>
<td>200</td>
<td>OBT3</td>
<td>500</td>
<td>109-3</td>
<td>3,000</td>
</tr>
<tr>
<td>21BT6</td>
<td>200</td>
<td>10</td>
<td>500</td>
<td>9</td>
<td>3,800</td>
</tr>
<tr>
<td>MT#2</td>
<td>300</td>
<td>107-1</td>
<td>1,060</td>
<td>31-5</td>
<td>10,000</td>
</tr>
<tr>
<td>C</td>
<td>400</td>
<td>107-2</td>
<td>1,060</td>
<td>31-6</td>
<td>10,000</td>
</tr>
<tr>
<td>D</td>
<td>400</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Eleven (11) Holding Tanks (Run Tanks), identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:

<table>
<thead>
<tr>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>125</td>
<td>12</td>
<td>1,360</td>
</tr>
<tr>
<td>1231</td>
<td>175</td>
<td>13</td>
<td>1,360</td>
</tr>
<tr>
<td>16</td>
<td>200</td>
<td>14</td>
<td>1,360</td>
</tr>
<tr>
<td>K</td>
<td>250</td>
<td>21BT7</td>
<td>1,360</td>
</tr>
<tr>
<td>OBT02</td>
<td>500</td>
<td>21BT8</td>
<td>1,360</td>
</tr>
<tr>
<td>Tank L</td>
<td>500</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

(The information describing the process contained in this emissions unit description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-8-4(1)]

D.1.1 Volatile Organic Compounds (VOC) [326 IAC 2-8][326 IAC 2-2]

Pursuant to 326 IAC 2-8-4 and in order to render 326 IAC 2-2 not applicable, the Permittee shall comply with the following:

The total VOC emissions from the following shall not exceed ninety-seven (97) tons per twelve (12) consecutive month period with compliance determined at the end of each month:

(a) Three (3) Liquid Product Lines,
(b) Five (5) Tube/Stick/Other Product Lines,
(c) One (1) Corporate Aerosol Line,
(d) Three (3) Frontier Lines,
(e) Four (4) Radar Lines,
(f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), and
(g) Eleven (11) Holding Tanks (Run Tanks).

Compliance with this limit, combined with the potential to emit VOC from all other emission units at this source, shall limit the source-wide total potential to emit VOC to less than 100 tons per 12 consecutive month period, and shall render the requirements of 326 IAC 2-7 (Part 70 Permits) and 326 IAC 2-2 (PSD) not applicable.

D.1.2 Single Hazardous Air Pollutant (HAP) [326 IAC 2-8]

Pursuant to 326 IAC 2-8-4, the Permittee shall comply with the following:

The total single HAP emissions from the following shall not exceed eight and five tenths (8.5) tons per twelve (12) consecutive month period with compliance determined at the end of each month:

(a) Three (3) Liquid Product Lines,
(b) Five (5) Tube/Stick/Other Product Lines,
(c) One (1) Corporate Aerosol Line,
(d) Three (3) Frontier Lines,
(e) Four (4) Radar Lines,
(f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), and
(g) Eleven (11) Holding Tanks (Run Tanks).

Compliance with this limit, combined with the potential to emit single HAP from all other emission units at this source, shall limit the source-wide total potential to emit of single HAP to less than 10 tons per 12 consecutive month period, and shall render the requirements of 326 IAC 2-7 (Part 70 Permits) and 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP) not applicable.
D.1.3 Combined HAPs [326 IAC 2-8]

Pursuant to 326 IAC 2-8-4, the Permittee shall comply with the following:

The combined HAPs emissions from the following shall not exceed twenty three and three tenths (23.3) tons per twelve (12) consecutive month period with compliance determined at the end of each month:

(a) Three (3) Liquid Product Lines,
(b) Five (5) Tube/Stick/Other Product Lines,
(c) One (1) Corporate Aerosol Line,
(d) Three (3) Frontier Lines,
(e) Four (4) Radar Lines,
(f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), and
(g) Eleven (11) Holding Tanks (Run Tanks).

Compliance with this limit, combined with the potential to emit HAPs from all other emission units at this source, shall limit the source-wide total potential to emit of combined HAPs to less than 25 tons per 12 consecutive month period, and shall render the requirements of 326 IAC 2-7 (Part 70 Permits) and 326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP) not applicable.

Compliance Determination Requirements [326 IAC 2-8-4(1)]

D.1.4 VOC, single HAP, and combined HAPs

(a) In order to comply with the VOC emission limitation contained in Condition D.1.1, the VOC emission shall be determined using the following equation:

\[ V = \left[ \sum_{i=1}^{n} A_i \times B_i \times ( E_f + E_f_{\text{ethanol}} + E_{\text{adj}} + E_{\text{test}} ) \times 2000 \right] \]

Where:

- \( V \) = VOC emissions, tons per month
- \( n \) = number of compounds filled during the month
- \( A_i \) = amount of a given compound filled during the month, gallons per month
- \( B_i \) = volume percent (%) of VOC content in a given compound
- \( E_f \) = Emission factors (lb/gal)
- 2000 = conversion factor, pounds per ton

The values of \( E_f, E_f_{\text{ethanol}}, E_{\text{adj}} \) and \( E_{\text{test}} \) in pounds of VOC emitted per gallon of VOC in compound shall be as specified in Condition D.1.4(e).

(b) In order to comply with the single HAP emission limitation contained in Condition D.1.2, Single HAP emission shall be determined using the following equation:

\[ SH = \left[ \sum_{i=1}^{n} A_i \times B_i \times ( E_f + E_f_{\text{ethanol}} + E_{\text{adj}} + E_{\text{test}} ) \times 2000 \right] \]

Where:

- \( SH \) = single HAP emissions, tons per month
- \( n \) = number of compounds filled during the month
- \( A_i \) = amount of a given compound filled during the month, gallons per month
- \( B_i \) = volume percent (%) of worst case single HAP content in a given compound
Ef = Emission factors (lb/gal)

2000 = conversion factor, pounds per ton

The values of $E_f$, $E_{f_{\text{ethanol}}}$, $E_{f_{\text{adj}}}$ and $E_{f_{\text{test}}}$ in pounds of single HAP emitted per gallon of worst case single HAP in compound shall be as specified in Condition D.1.4(e).

(c) In order to comply with the combined HAPs emission limitation contained in Condition D.1.3, Combined HAPs emission shall be determined using the following equation:

Equation:

$$CH = \sum_{i=1}^{n} A_i \times B_i \times \left( E_f + E_{f_{\text{ethanol}}} + E_{f_{\text{adj}}} + E_{f_{\text{test}}} \right) \times 2000$$

Where:

$CH$ = combined HAPs emissions, tons per month

$n$ = number of compounds filled during the month

$A_i$ = amount of a given compound filled during the month, gallons per month

$B_i$ = volume percent (%) of combined HAPs content in a given compound

Ef = Emission factors (lb/gal)

2000 = conversion factor, pounds per ton

The values of $E_f$, $E_{f_{\text{ethanol}}}$, $E_{f_{\text{adj}}}$ and $E_{f_{\text{test}}}$ in pounds of combined HAPs emitted per gallon of combined HAPs in compound shall be as specified in Condition D.1.4(e).

(d) In order to comply with the VOC, single HAP and combined HAPs emission limitation contained in Conditions D.1.1, D.1.2 and D.1.3, respectively, the VOC and HAPs content in each compound shall be determined by any of the following:

(i) The manufacturer's certified product data sheet.

(ii) The manufacturer's material safety data sheet.

(iii) Sampling and analysis, using any of the following test methods, as applicable:

- (1) 40 CFR 60, Method 24, Appendix A (July 1, 1998), shall be used to measure the total volatile HAP and volatile organic compound (VOC) content of resins and gel coats. Method 24 may be modified for measuring the volatile HAP content of resins or gel coats to require that the procedure be performed on uncatalyzed resin or gel coat samples.

- (2) 40 CFR 63, Method 311, Appendix A (July 1, 1998), shall be used to measure HAP content in resins and gel coats by direct injection into a gas chromatograph.

(iv) An alternate method approved by IDEM, OAQ.

(v) IDEM, OAQ reserves the authority to determine compliance using Method 24 in conjunction with the analytical procedures specified in 326 IAC 8-1-4.

(e) The values of emission factors $E_f$, $E_{f_{\text{ethanol}}}$, $E_{f_{\text{adj}}}$ and $E_{f_{\text{test}}}$ used in the all the equations above in Conditions D.1.4(a), (b) and (c) shall be as specified in the Table 1 below.
<table>
<thead>
<tr>
<th>Type of Product</th>
<th>Pollutant</th>
<th>Ef (lb/ga)</th>
<th>Ef_{ethanol} (lb/gal)</th>
<th>Ef_{adj} (lb/gal)</th>
<th>Ef_{test} (lb/gal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>product does not contain VOC but contains volatile HAPs</td>
<td>VOC</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
</tr>
<tr>
<td></td>
<td>single HAP</td>
<td>0.03</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
</tr>
<tr>
<td></td>
<td>combined HAPs</td>
<td>0.03</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>product contains VOCs and all these VOCs have vapor pressure less than or equal to the vapor pressure of the ethanol (0.86 psia)</td>
<td>VOC</td>
<td>0 (zero)</td>
<td>0.03</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
</tr>
<tr>
<td></td>
<td>single HAP</td>
<td>0 (zero)</td>
<td>0.03</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
</tr>
<tr>
<td></td>
<td>combined HAPs</td>
<td>0 (zero)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>product contains VOCs and one or more these VOCs have vapor pressure greater than the vapor pressure of the ethanol (0.86 psia) but the total volume of these VOCs in the product is equal to or less than 20% of volume of the product</td>
<td>VOC</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
</tr>
<tr>
<td></td>
<td>single HAP</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
</tr>
<tr>
<td></td>
<td>combined HAPs</td>
<td>0 (zero)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>product contains VOC and one or more these VOC have vapor pressure greater than the vapor pressure of the ethanol (0.86 psia) and the total volume of these VOCs in the product is greater than 20% of volume of the product</td>
<td>VOC</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
</tr>
<tr>
<td></td>
<td>single HAP</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
<td>0 (zero)</td>
</tr>
<tr>
<td></td>
<td>combined HAPs</td>
<td>0 (zero)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\[ E_{adj} = \frac{P_{adj} \times M_{adj}}{39.56} \times 0.03 \]

Where:
- \( P_{adj} \) = value of the highest true vapor pressure (psia) of the VOC in the product at 80 degree fahrenheit
- \( M_{adj} \) = value of the highest molecular weight (lb/lb-mole) of the VOC in the product

As determined through a VOC test.

Until the test is performed, \( E_{test} \) shall be determined as follows:

\[ E_{test} = E_{adj} = \frac{P_{adj} \times M_{adj}}{39.56} \times 0.03 \]

Where:
- \( P_{adj} \) = value of the highest true vapor pressure (psia) of the VOC in the product at 80 degree fahrenheit
- \( M_{adj} \) = value of the highest molecular weight (lb/lb-mole) of the VOC in the product
D.1.5 One-Time Testing Requirement [326 IAC 2-1.1-11]

No later than 180 days after the mixing and/or filling of the product containing one or more VOC with vapor pressure greater than the vapor pressure of the ethanol (0.86 psia) and the total volume of these VOCs in the product is greater than 20% of volume of the product at any of the following lines, the Permittee shall conduct a VOC test for the mixing and filling operations associated with that line to establish emission factor (E_{test}) specified in the equations of Condition D.1.4(e):

(a) Three (3) Liquid Product Lines,
(b) Five (5) Tube/ Stick/ Other Product Lines,
(c) One (1) Corporate Aerosol Line,
(d) Three (3) Frontier Lines, and
(e) Four (4) Radar Lines.

Testing shall be conducted using methods approved by the Commissioner and in accordance with 326 IAC 3-6-3. Section C - Performance Testing contains the Permittee’s obligation with regard to the performance testing required by this section.

Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)]

D.1.6 Record Keeping Requirements

(a) To document compliance with Conditions D.1.1, D.1.2 and D.1.3, the Permittee shall maintain records in accordance with (1) through (3) below. Records maintained for (1) through (3) shall be taken as stated below and shall be complete and sufficient to establish compliance with the VOC usage and content limits established in Conditions D.1.1, D.1.2 and D.1.3.

(1) Type of all the compounds filled during the month.
(2) Volume percent (%) VOC and HAPs contents of each compound.
(3) The amount of each compound filled on a monthly basis.

(A) Records shall include purchase orders, invoices, material safety data sheets (MSDS), product formulation information necessary to verify the type and amount used.

(b) Section C - General Record Keeping Requirements contains the Permittee’s obligations with regard to the records required by this condition.

D.1.7 Reporting Requirements

A quarterly summary of the information to document the compliance status with Conditions D.1.1, D.1.2 and D.1.3 shall be submitted using the reporting forms located at the end of this permit, or their equivalent, not later than thirty (30) days after the end of the quarter being reported. Section C - General Reporting contains the Permittee's obligation with regard to the reporting required by this condition. The report submitted by the Permittee does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an “authorized individual” as defined by 326 IAC 2-1.1-1(1).
SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

(a) Three (3) Liquid Product Lines, each constructed in 1999, uncontrolled, venting inside, and consisting of three (3) liquid product filling operations, identified as Lines 21A, 21B and Line 31, with a total maximum throughput rate of 1,012.5 gal/hour.

(b) Five (5) Tube/Stick/Other Product Lines, each constructed in 1999, uncontrolled, venting inside, and consisting of five (5) filling operations, identified as Lines 20, 23, 24, 26, and 28, with a total maximum throughput rate of 580.9 gal/hour.

(c) One (1) Corporate Aerosol Line, identified as Line 40, constructed in 1999 and modified in 2012, with a maximum production rate of 1,478 gallons per hour, and 19,500 cans per hour, uncontrolled, and venting inside.

(d) Three (3) Frontier Lines, identified as follows, each constructed in 2012 and modified in 2013 to adjust for size distribution, uncontrolled, and venting inside.

<table>
<thead>
<tr>
<th>Frontier Lines</th>
<th>Maximum Throughput (cans/hr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Line 51</td>
<td>6750</td>
</tr>
<tr>
<td>Line 52</td>
<td>6750</td>
</tr>
<tr>
<td>Line 53</td>
<td>6750</td>
</tr>
</tbody>
</table>

(e) Four (4) Radar Lines, identified as follows, each with a maximum production of 1,615 gallons per hour and 19,500 cans per hour each, uncontrolled, and venting inside.

<table>
<thead>
<tr>
<th>Radar Lines</th>
<th>Maximum Throughput (cans/hr)</th>
<th>Construction Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-2</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-3</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-4</td>
<td>19500</td>
<td>Approved in 2019 for construction</td>
</tr>
</tbody>
</table>

(f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:

<table>
<thead>
<tr>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>35</td>
<td>Tank107-3</td>
<td>400</td>
<td>21BT5</td>
<td>1,100</td>
</tr>
<tr>
<td>17</td>
<td>1,000</td>
<td>C-1</td>
<td>425</td>
<td>CP7</td>
<td>1,100</td>
</tr>
<tr>
<td>MT#3</td>
<td>100</td>
<td>D-1</td>
<td>425</td>
<td>109-1</td>
<td>3,000</td>
</tr>
<tr>
<td>CP8</td>
<td>125</td>
<td>OBT1</td>
<td>500</td>
<td>109-2</td>
<td>3,000</td>
</tr>
<tr>
<td>MT#1</td>
<td>200</td>
<td>OBT3</td>
<td>500</td>
<td>109-3</td>
<td>3,000</td>
</tr>
<tr>
<td>21BT6</td>
<td>200</td>
<td>10</td>
<td>500</td>
<td>9</td>
<td>3,800</td>
</tr>
<tr>
<td>MT#2</td>
<td>300</td>
<td>107-1</td>
<td>1,060</td>
<td>31-5</td>
<td>10,000</td>
</tr>
<tr>
<td>C</td>
<td>400</td>
<td>107-2</td>
<td>1,060</td>
<td>31-6</td>
<td>10,000</td>
</tr>
<tr>
<td>D</td>
<td>400</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
Eleven (11) Holding Tanks (Run Tanks), identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:

<table>
<thead>
<tr>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum Storage Capacity (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>125</td>
<td>12</td>
<td>1,360</td>
</tr>
<tr>
<td>1231</td>
<td>175</td>
<td>13</td>
<td>1,360</td>
</tr>
<tr>
<td>16</td>
<td>200</td>
<td>14</td>
<td>1,360</td>
</tr>
<tr>
<td>K</td>
<td>250</td>
<td>21BT7</td>
<td>1,360</td>
</tr>
<tr>
<td>OBT02</td>
<td>500</td>
<td>21BT8</td>
<td>1,360</td>
</tr>
<tr>
<td>Tank L</td>
<td>500</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

(The information describing the process contained in this emissions unit description box is descriptive information and does not constitute enforceable conditions.)

**Emission Limitations and Standards** [326 IAC 2-8-4(1)]

D.2.1 Standards for Consumer and Commercial Products [326 IAC 8-15]

Pursuant to 326 IAC 326 IAC 8-15-1, the Permittee shall comply with the following requirements (included as Attachment A of this permit):

(i) 326 IAC 8-15-1 (Applicability)
(ii) 326 IAC 8-15-2 (Definitions)
(iii) 326 IAC 8-15-3 (Standards)
(iv) 326 IAC 8-15-7 (Administrative request)
(v) 326 IAC 8-15-8 (Record keeping and reporting request)
(vi) 326 IAC 8-15-9 (Test methods)
SECTION D.3 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

(i) Five (5) Natural Gas-Fired Boilers, identified as follows, uncontrolled, and venting inside:

<table>
<thead>
<tr>
<th>Boilers ID</th>
<th>Heat Input Capacity MMBtu/hr</th>
<th>Construction Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boiler #1</td>
<td>10.06</td>
<td>1968</td>
</tr>
<tr>
<td>Boiler #2</td>
<td>10.06</td>
<td>1968</td>
</tr>
<tr>
<td>Boiler #3</td>
<td>10.06</td>
<td>1968</td>
</tr>
<tr>
<td>Boiler #4</td>
<td>5.03</td>
<td>1968</td>
</tr>
<tr>
<td>B125H-4</td>
<td>4.18</td>
<td>2015</td>
</tr>
</tbody>
</table>

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.3.1 Particulate [326 IAC 6-2-3]

Pursuant to 326 IAC 6-2-3 (Particulate Limitations for Sources of Indirect Heating) particulate emissions from the four (4) natural gas-fired boilers (Boilers #1, #2, #3, and #4) shall be limited to 0.64 pounds per MMBtu heat input.

D.3.2 Particulate Emissions [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating), particulate emissions from the natural gas-fired boiler B125H-4 shall be limited to 0.42 pounds per MMBtu heat input.
Emissions Unit Description:

Insignificant Activity

(b) One (1) natural gas powered, spark ignition Emergency Generator with a maximum capacity of 40 kilowatt (53.64 horsepower), identified as E2, constructed in August 2010, exhausting to the atmosphere.

Under 40 CFR 60, Subpart JJJJ, E2 is considered an emergency SI ICE.

Under 40 CFR 63, Subpart ZZZZ, E2 is considered a new RICE.

(The information describing the process contained in this emissions unit description box is descriptive information and does not constitute enforceable conditions.)

New Source Performance Standards (NSPS) Requirements [326 IAC 2-8-4(1)]


(a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference as 326 IAC 12-1, for the emission unit(s) listed above, except as otherwise specified in 40 CFR Part 60, Subpart JJJJ.

(b) Pursuant to 40 CFR 60.4, the Permittee shall submit all required notifications and reports to:

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 N Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

E.1.2 Stationary Spark Ignition Internal Combustion Engines NSPS [326 IAC 12][40 CFR Part 60, Subpart JJJJ]

The Permittee shall comply with the following provisions of 40 CFR Part 60, Subpart JJJJ (included as Attachment B to the operating permit), which are incorporated by reference as 326 IAC 12, for the emission unit(s) listed above:

1. 40 CFR 60.4230(a)(4)(iv), (a)(6), and (c),
2. 40 CFR 60.4233(d), and (h)
3. 40 CFR 60.4234
4. 40 CFR 60.4236(c)
5. 40 CFR 60.4237(c)
6. 40 CFR 60.4243(b)(1), (d)(1), (d)(2)(i), (d)(3), and (e)
7. 40 CFR 60.4244
8. 40 CFR 60.4245(a)(1), (a)(2), (a)(3), (b), (d), and (e)
9. 40 CFR 60.4246
10. 40 CFR 60.4248
11. Table 1 to Subpart JJJJ
12. Table 3 to Subpart JJJJ

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart ZZZZ (included as Attachment C in the operating permit), which are incorporated by reference as 326 IAC 20-82 for the Fire Pump Engine E1:

(1) 40 CFR 63.6580  
(2) 40 CFR 63.6585  
(3) 40 CFR 63.6590(a)(1)(iii) and (iv)  
(4) 40 CFR 63.6595(a)(1), (b), and (c)  
(5) 40 CFR 63.6603(a)  
(6) 40 CFR 63.6605  
(7) 40 CFR 63.6625(e)(3), (f), (h), and (i)  
(8) 40 CFR 63.6640(a), (b), (e), (f)(1), (f)(2)(i), and (f)(4)  
(9) 40 CFR 63.6645(a)(5)
The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart ZZZZ (included as Attachment C in the operating permit), which are incorporated by reference as 326 IAC 20-82 for the Emergency Generator E2:

1. 40 CFR 63.6580
2. 40 CFR 63.6585
3. 40 CFR 63.6590(a)(2)(iii), and (c)(1)
4. 40 CFR 63.6595(a)(7)
5. 40 CFR 63.6665
6. 40 CFR 63.6670
7. 40 CFR 63.6675
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)
CERTIFICATION

Source Name: Accra-Pak, Inc.
Source Address: 1919 Superior Street, Elkhart, Indiana 46516
FESOP Permit No.: F039-41619-00050

<table>
<thead>
<tr>
<th>This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Please check what document is being certified:</td>
</tr>
<tr>
<td>□ Annual Compliance Certification Letter</td>
</tr>
<tr>
<td>□ Test Result (specify)</td>
</tr>
<tr>
<td>□ Report (specify)</td>
</tr>
<tr>
<td>□ Notification (specify)</td>
</tr>
<tr>
<td>□ Affidavit (specify)</td>
</tr>
<tr>
<td>□ Other (specify)</td>
</tr>
</tbody>
</table>

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:  
Printed Name:  
Title/Position:  
Date:  
This is an emergency as defined in 326 IAC 2-7-1(12)
- The Permittee must notify the Office of Air Quality (OAQ), within four (4) daytime business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and
- The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), and follow the other requirements of 326 IAC 2-8-12

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency:

Describe the cause of the Emergency:
If any of the following are not applicable, mark N/A

| Date/Time Emergency started: |
| Date/Time Emergency was corrected: |
| Was the facility being properly operated at the time of the emergency? Y N |
| Describe: |
| Type of Pollutants Emitted: TSP, PM-10, SO₂, VOC, NOₓ, CO, Pb, other: |
| Estimated amount of pollutant(s) emitted during emergency: |
| Describe the steps taken to mitigate the problem: |
| Describe the corrective actions/response steps taken: |
| Describe the measures taken to minimize emissions: |
| If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value: |

Form Completed by: ________________________________
Title / Position: ________________________________
Date: ________________________________
Phone: ________________________________
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE AND ENFORCEMENT BRANCH  

FESOP Quarterly Report

Source Name: Accra-Pak, Inc.  
Source Address: 1919 Superior Street, Elkhart, Indiana 46516  
FESOP Permit No.: F039-41619-00050

Facility:
(a) Three (3) Liquid Product Lines  
(b) Five (5) Tube/Stick/Other Product Lines  
(c) One (1) Corporate Aerosol Line  
(d) Three (3) Frontier Lines  
(e) Four (4) Radar Lines  
(f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks)  
(g) Eleven (11) Holding Tanks (Run Tanks)

Parameter: VOC  
Limit: The total VOC emissions shall not exceed ninety-seven (97) tons per twelve (12) consecutive month period with compliance determined at the end of each month.

<table>
<thead>
<tr>
<th>QUARTER</th>
<th>YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Month</th>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 1 + Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This Month (tons)</td>
<td>Previous 11 Months (tons)</td>
<td>12 Month Total (tons)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ No deviation occurred in this quarter.  
☐ Deviation/s occurred in this quarter.  
Deviation has been reported on: ____________________________

Submitted by: ____________________________  
Title / Position: ____________________________  
Signature: ____________________________  
Date: ____________________________  
Phone: ____________________________
**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**
**OFFICE OF AIR QUALITY**
**COMPLIANCE AND ENFORCEMENT BRANCH**

**FESOP Quarterly Report**

Source Name: Accra-Pak, Inc.
Source Address: 1919 Superior Street, Elkhart, Indiana 46516
FESOP Permit No.: F039-41619-00050

Facility:
- (a) Three (3) Liquid Product Lines
- (b) Five (5) Tube/Stick/Other Product Lines
- (c) One (1) Corporate Aerosol Line
- (d) Three (3) Frontier Lines
- (e) Four (4) Radar Lines
- (f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks)
- (g) Eleven (11) Holding Tanks (Run Tanks)

Parameter: Single HAP

Limit: The total single HAP emissions shall not exceed eight and five tenths (8.5) tons per twelve (12) consecutive month period with compliance determined at the end of each month.

<table>
<thead>
<tr>
<th>QUARTER:</th>
<th>YEAR:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Month</th>
<th>Column 1</th>
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<th>Column 1 + Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>This Month (tons)</td>
<td>Previous 11 Months (tons)</td>
<td>12 Month Total (tons)</td>
<td></td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

- □ No deviation occurred in this quarter.
- □ Deviation/s occurred in this quarter.
  Deviation has been reported on: _______________________

Submitted by: ____________________________
Title / Position: ____________________________
Signature: ____________________________
Date: ____________________________
Phone: ____________________________
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH

FESOP Quarterly Report

Source Name: Accra-Pak, Inc.
Source Address: 1919 Superior Street, Elkhart, Indiana 46516
FESOP Permit No.: F039-41619-00050

Facility:
(a) Three (3) Liquid Product Lines
(b) Five (5) Tube/Stick/Other Product Lines
(c) One (1) Corporate Aerosol Line
(d) Three (3) Frontier Lines
(e) Four (4) Radar Lines
(f) Twenty-five (25) Compounding/Mixing Tanks
(g) Eleven (11) Holding Tanks (Run Tanks)

Parameter: Combined HAPs
Limit: The total combined HAPs emissions shall not exceed twenty-three and three tenths (23.3) tons per twelve (12) consecutive month period with compliance determined at the end of each month.

QUARTER: ____________________ YEAR: ____________________

<table>
<thead>
<tr>
<th>Month</th>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 1 + Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>This Month (tons)</td>
<td>Previous 11 Months (tons)</td>
<td>12 Month Total (tons)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

☐ No deviation occurred in this quarter.
☐ Deviation/s occurred in this quarter.

Deviation has been reported on: ____________________

Submitted by: _________________________________________
Title / Position: _________________________________________
Signature: _________________________________________
Date: _________________________________________
Phone: _________________________________________
This report shall be submitted quarterly based on a calendar year. Proper notice submittal under Section B - Emergency Provisions satisfies the reporting requirements of paragraph (a) of Section C - General Reporting. Any deviation from the requirements of this permit, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

- NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.
- THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

<table>
<thead>
<tr>
<th>Permit Requirement (specify permit condition #)</th>
<th>Date of Deviation:</th>
<th>Duration of Deviation:</th>
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<tbody>
<tr>
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<table>
<thead>
<tr>
<th>Number of Deviations:</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Probable Cause of Deviation:</th>
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</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Response Steps Taken:</th>
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</thead>
</table>

<table>
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<tr>
<th>Permit Requirement (specify permit condition #)</th>
<th>Date of Deviation:</th>
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<tbody>
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<table>
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<tr>
<th>Number of Deviations:</th>
<th></th>
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</table>

<table>
<thead>
<tr>
<th>Probable Cause of Deviation:</th>
<th></th>
</tr>
</thead>
</table>

Response Steps Taken:
<table>
<thead>
<tr>
<th>Permit Requirement (specify permit condition #)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Deviation:</td>
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</tr>
<tr>
<td>Probable Cause of Deviation:</td>
</tr>
<tr>
<td>Response Steps Taken:</td>
</tr>
</tbody>
</table>

<table>
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<tr>
<th>Permit Requirement (specify permit condition #)</th>
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<td>Date of Deviation:</td>
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</tr>
<tr>
<td>Probable Cause of Deviation:</td>
</tr>
<tr>
<td>Response Steps Taken:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permit Requirement (specify permit condition #)</th>
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<tbody>
<tr>
<td>Date of Deviation:</td>
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<tr>
<td>Number of Deviations:</td>
</tr>
<tr>
<td>Probable Cause of Deviation:</td>
</tr>
<tr>
<td>Response Steps Taken:</td>
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</tbody>
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Form Completed by: ________________________________
Title / Position: ________________________________
Date: ________________________________
Phone: ________________________________
Attachment A

Standards for Consumer and Commercial Products (326 IAC 8-15)

FESOP No.: F039-41619-00050
(D) Pounds per stripe-mile.
(3) Monthly quantities of each type of traffic marking material applied.
(c) The records required in subsection (b) shall be:
(1) kept for a period of three (3) years after the traffic marking material is applied; and
(2) made available to the department for inspection within ninety (90) days of the request.

Rule 15. Standards for Consumer and Commercial Products

326 IAC 8-15-1 Applicability
Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-17

Sec. 1. This rule applies to any person who:
(1) sells;
(2) supplies;
(3) offers for sale; or
(4) manufactures;
consumer products, on or after June 1, 2011, for use in Indiana. (Air Pollution Control Division; 326 IAC 8-15-1; filed Nov 1, 2010, 12:38 p.m.: 20101201-IR-326070351FRA)

326 IAC 8-15-2 Definitions
Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-11-2-158; IC 13-12; IC 15-16-4

Sec. 2. The following definitions apply throughout this rule:
(1) "ACP" means alternative control plan.
(2) "ACP agreement" means the document that:
(A) includes the conditions and requirements of the ACP; and
(B) allows manufacturers to sell ACP products in Indiana in accordance with section 6 of this rule.
(3) "ACP product" means any consumer product subject to the VOC content limits specified in section 3(a) of this rule, except those products that have been exempted under section 4 or 5 of this rule.
(4) "Adhesive" means any product that is used to bond one (1) surface to another by attachment. The term does not include the following:
(A) Products used on humans and animals.
(B) Adhesive tape.
(C) Contact paper.
(D) Wallpaper.
(E) Shelf liners.
(F) Any other product with an adhesive incorporated onto or in an inert substrate.
(G) Units of product, less packaging, that consist of more than one (1) gallon that meet the definition for contact adhesive.
(H) Units of product, less packaging, that:
(i) weigh more than one (1) pound and consist of more than sixteen (16) fluid ounces; and
(ii) meet the definition of either construction, panel, and floor covering adhesive or general purpose adhesive. This limitation does not apply to aerosol adhesives.
(5) "Adhesive remover" means the following:
(A) A product designed to remove adhesive from either a specific substrate or a variety of substrates.
(B) The term includes the following:
(i) Floor or wall covering adhesive remover.
(ii) Gasket or thread locking adhesive remover.
(iii) General purpose adhesive remover.
(iv) Specialty adhesive remover.
(C) The term does not include products that remove adhesive intended exclusively for use on humans or animals.
(D) For the purpose of this definition, "adhesive" means a substance used to bond one (1) or more materials and includes, but is not limited to, the following:
   (i) Caulks.
   (ii) Sealants.
   (iii) Glues.
   (iv) Similar substances used for the purpose of forming a bond.
(6) "Aerosol adhesive" means an aerosol product in which the spray mechanism is permanently housed in a nonrefillable can designed for hand-held application without the need for ancillary hoses or spray equipment. The term includes the following:
   (A) Special purpose spray adhesives.
   (B) Mist spray adhesives.
   (C) Web spray adhesives.
(7) "Aerosol cooking spray" means any aerosol product designed either to reduce sticking on cooking and baking surfaces or to be applied on food, or both.
(8) "Aerosol product" means a pressurized spray system that dispenses product ingredients by means of a:
   (A) propellant contained in a product or a product's container; or
   (B) mechanically induced force.
   The term does not include pump spray.
(9) "Agricultural use" means the following:
   (A) The use of any pesticide or method or device for the control of pests in connection with the commercial production, storage, or processing of any animal or plant crop.
   (B) The term does not include the sale or use of pesticides in properly labeled packages or containers that are intended for:
      (i) home use;
      (ii) use in structural pest control;
      (iii) industrial use; or
      (iv) institutional use.
   (C) For the purposes of this definition only, the following apply:
      (i) "Home use" means use in a household or its immediate environment.
      (ii) "Industrial use" means use:
         (AA) for or in a manufacturing, mining, or chemical process; or
         (BB) in the operation of factories, processing plants, and similar sites.
      (iii) "Institutional use" means use within the lines of, or on the property necessary for the operation of, buildings, such as the following:
         (AA) Hospitals.
         (BB) Schools.
         (CC) Libraries.
         (DD) Auditoriums.
         (EE) Office complexes.
      (iv) "Structural pest control" means a use requiring a license under IC 15-16-4.
(10) "Air freshener" means the following:
    (A) Any consumer product designed for the purpose of masking odors or freshening, cleaning, scenting, or deodorizing the air, including, but not limited to, the following:
       (i) Sprays.
(ii) Wicks.
(iii) Powders.
(iv) Crystals.

(B) To determine whether a product is an air freshener, all verbal and visual representation regarding product use on the label or packaging and in the product's literature and advertising may be considered. The presence of, and representations about, a product's fragrance and ability to deodorize (resulting from surface application) shall not constitute a claim of air freshening.

(C) The term includes spray disinfectants and other products that are expressly represented for use as air fresheners, except institutional and industrial disinfectants when offered for sale through institutional and industrial channels of distribution.

(D) The term does not include the following:
   (i) Products that are used on the human body.
   (ii) Products that function primarily as cleaning products as indicated on a product label.
   (iii) Toilet or urinal care products.
   (iv) Disinfectant products claiming to deodorize by killing germs on surfaces.
   (v) Institutional or industrial disinfectants when offered for sale solely through institutional or industrial channels of distribution.

(11) "All other carbon-containing compounds" means all other compounds that:
   (A) contain at least one (1) carbon atom; and
   (B) are not a Table B compound or an LVP-VOC.

(12) "All other forms" means all consumer product forms for which no form-specific VOC standard is specified. Unless otherwise specified by the applicable VOC standard in section 3(a) of this rule, the term includes, but is not limited to, the following:
   (A) Solids.
   (B) Liquids.
   (C) Wicks.
   (D) Powders.
   (E) Crystals.
   (F) Cloth or paper wipes (towelettes).

(13) "Alternative control plan" or "ACP" means any emissions averaging program approved by the department under section 6 of this rule.

(14) "Antimicrobial hand or body cleaner or soap" means a cleaner or soap that is designed to reduce the level of microorganisms on the skin through germicidal activity. The term:
   (A) includes, but is not limited to:
      (i) antimicrobial hand or body washes or cleaners, or both;
      (ii) food handler hand washes;
      (iii) health care personnel hand washes;
      (iv) preoperative skin preparations; and
      (v) surgical scrubs; and
   (B) does not include:
      (i) prescription drug products;
      (ii) antiperspirants;
      (iii) astringents or toner;
      (iv) deodorant;
      (v) facial cleaner or soap;
      (vi) general use hand or body cleaner or soap;
      (vii) hand dishwashing detergent (including antimicrobial);
      (viii) heavy-duty hand cleaner or soap;
      (ix) medicated astringent or medicated toner; and
(x) rubbing alcohol.
(15) "Antiperspirant" means any product that is intended by the manufacturer to be used to reduce perspiration in the human axilla by at least twenty percent (20%) in at least fifty percent (50%) of a target population. The term includes, but is not limited to, the following:
   (A) Aerosols.
   (B) Roll-ons.
   (C) Sticks.
   (D) Pumps.
   (E) Pads.
   (F) Creams.
   (G) Squeeze bottles.

(16) "Antistatic product" means a product that is labeled to eliminate, prevent, or inhibit the accumulation of static electricity. The term does not include the following products:
   (A) Electronic cleaner.
   (B) Floor polish or wax.
   (C) Floor coating.
   (D) Aerosol coating product.
   (E) Architectural coating.

(17) "Architectural coating" means a coating applied to the following:
   (A) Stationary structures and their appurtenances.
   (B) Mobile homes.
   (C) Pavements.
   (D) Curbs.

(18) "ASTM" means the American Society for Testing and Materials.
(19) "Astringent or toner" means any product not regulated as a drug by the United States Food and Drug Administration (FDA) that is applied to the skin for the purpose of cleaning or tightening pores. The term:
   (A) includes:
      (i) clarifiers; and
      (ii) substrate-impregnated products; and
   (B) does not include:
      (i) hand, face, or body cleaner or soap product;
      (ii) medicated astringent;
      (iii) medicated toner;
      (iv) cold cream;
      (v) lotion; and
      (vi) antiperspirant.

(20) "Automobile headliner adhesive" means an aerosol adhesive designed to bond together layers in motor vehicle headliners.
(21) "Automotive brake cleaner" means a cleaning product designed to remove the following from motor vehicle brake mechanisms:
   (A) Oil.
   (B) Grease.
   (C) Brake fluid.
   (D) Brake pad material.
   (E) Dirt.

(22) "Automotive engine compartment adhesive" means an aerosol adhesive designed for use in motor vehicle under-the-hood applications that require oil and plasticizer resistance and high shear strength at temperatures of two hundred (200) degrees Fahrenheit through two hundred seventy-five (275) degrees Fahrenheit.
(23) "Automotive hard paste wax" means an automotive wax or polish that:
(A) is designed to protect and improve the appearance of automotive paint surfaces;  
(B) is a solid at room temperature; and  
(C) contains zero percent (0%) water by formulation.

(24) "Automotive instant detailer" means a product designed for use in a pump spray that is:  
(A) applied to the painted surface of automobiles; and  
(B) wiped off prior to the product being allowed to dry.

(25) "Automotive rubbing or polishing compound" means a product designed primarily to remove, from the painted surfaces of motor vehicles without leaving a protective barrier, the following:  
(A) Oxidation.  
(B) Old paint.  
(C) Scratches or swirl marks.  
(D) Other defects.

(26) "Automotive wax, polish, sealant, or glaze" means a product designed to seal out moisture, increase gloss, or otherwise enhance a motor vehicle's painted surfaces. The term:  
(A) includes, but is not limited to, products designed for:  
   (i) use in auto body repair shops;  
   (ii) use in "drive-through" car washes; and  
   (iii) the general public; and  
(B) does not include:  
   (i) automotive rubbing or polishing compounds;  
   (ii) automotive wash and wax products;  
   (iii) surfactant-containing car wash products; and  
   (iv) products designed for use on unpainted surfaces, including, but not limited to:  
      (AA) bare metal;  
      (BB) chrome;  
      (CC) glass; and  
      (DD) plastic.

(27) "Automotive windshield washer fluid" means any liquid designed for use in a motor vehicle windshield washer system either:  
(A) as an antifreeze; or  
(B) for the purpose of:  
   (i) cleaning;  
   (ii) washing; or  
   (iii) wetting;  
   the windshield.  
The term does not include fluids placed by the manufacturer in a new vehicle.

(28) "Bathroom and tile cleaner" means a product designed to clean tile or surfaces in bathrooms. The term does not include products designed primarily to clean the following:  
(A) Toilet bowls.  
(B) Toilet tanks.  
(C) Urinals.

(29) "Bug and tar remover" means a product labeled to remove either or both of the following from painted motor vehicle surfaces without causing damage to the finish:  
(A) Biological-type residues, such as the following:  
   (i) Insect carcasses.  
   (ii) Tree sap.  
(B) Road grime, such as the following:  
   (i) Road tar.  
   (ii) Roadway paint markings.
(iii) Asphalt.

(30) "CARB" means the California Air Resources Board.

(31) "Carburetor or fuel-injection air intake cleaners" means a product designed to remove fuel deposits, dirt, or other contaminants from the following:
   (A) A carburetor.
   (B) A choke.
   (C) The throttle body of a fuel-injection system.
   (D) Associated linkages.

The term does not include products designed exclusively to be introduced directly into the fuel lines or fuel storage tank prior to introduction into the carburetor or fuel injectors.

(32) "Carpet and upholstery cleaner" means the following:
   (A) A cleaning product designed for the purpose of eliminating dirt and stains on the following:
      (i) Rugs.
      (ii) Carpeting.
      (iii) The interior of motor vehicles.
      (iv) Household furniture.
      (v) Objects upholstered or covered with fabrics, such as the following:
         (AA) Wool.
         (BB) Cotton.
         (CC) Nylon.
         (DD) Other synthetic fabrics.
   (B) The term includes, but is not limited to, products that make fabric protectant claims.
   (C) The term does not include the following:
      (i) General purpose cleaners.
      (ii) Spot removers.
      (iii) Vinyl or leather cleaners.
      (iv) Dry cleaning fluids.
      (v) Products designed exclusively for use at industrial facilities engaged in furniture or carpet manufacturing.

(33) "Charcoal lighter material" means any combustible material designed to be applied on, incorporated in, added to, or used with charcoal to enhance ignition. The term does not include any of the following:
   (A) Electrical starters and probes.
   (B) Metallic cylinders using paper tinder.
   (C) Natural gas.
   (D) Propane.
   (E) Fat wood.

(34) "Colorant" means any pigment or coloring material used in a consumer product:
   (A) for an aesthetic effect; or
   (B) to dramatize an ingredient.

(35) "Construction, panel, and floor covering adhesive" means any one-component adhesive that is designed exclusively for the installation, remodeling, maintenance, or repair of the following:
   (A) Structural and building components, including the following:
      (i) Beams.
      (ii) Trusses.
      (iii) Studs.
      (iv) Paneling, including, but not limited to, the following:
         (AA) Dry wall or dry wall laminates.
         (BB) Fiberglass reinforced plastic (FRP).
         (CC) Plywood.
         (DD) Particle board.
(EE) Insulation board.
(FF) Predecorated hardboard or tile board.
(v) Ceiling and acoustical tile.
(vi) Molding.
(vii) Fixtures.
(viii) Countertops.
(ix) Countertop laminates.
(x) Cove bases.
(xi) Wall bases.
(xii) Flooring or subflooring.

(B) Floor or wall coverings, including the following:
(i) Wood or simulated wood covering.
(ii) Carpet.
(iii) Carpet pad or cushion.
(iv) Vinyl-backed carpet.
(v) Flexible flooring material.
(vi) Nonresilient flooring material.
(vii) Mirror tiles and other types of tiles.
(viii) Artificial grass.
The term does not include floor seam sealer.

(36) "Consumer" means any person who purchases or acquires any consumer product for the following uses:
   (A) Personal.
   (B) Family.
   (C) Household.
   (D) Institutional.
The term does not include persons acquiring a consumer product for resale.

(37) "Consumer product" means the following:
   (A) A chemically formulated product used by household and institutional consumers, including, but not limited to, the following:
      (i) Detergents.
      (ii) Cleaning compounds.
      (iii) Polishes.
      (iv) Floor finishes.
      (v) Cosmetics.
      (vi) Personal care products.
      (vii) Home, lawn, and garden products.
      (viii) Disinfectants.
      (ix) Sanitizers.
      (x) Aerosol paints.
      (xi) Automotive specialty products.
      (xii) Aerosol adhesives, including aerosol adhesives for the following uses:
         (AA) Consumer.
         (BB) Industrial.
         (CC) Commercial.
   (B) The term does not include the following:
      (i) Paint products.
      (ii) Furniture coating.
      (iii) Architectural coatings.

(38) "Contact adhesive" means the following:
(A) An adhesive that:
   (i) is designed for application to both surfaces to be bonded together;
   (ii) is allowed to dry before the two (2) surfaces are placed in contact with each other;
   (iii) forms an immediate bond that is impossible, or difficult, to reposition after both adhesive-coated surfaces
       are placed in contact with each other; and
   (iv) does not need sustained pressure or clamping of surfaces after the adhesive-coated surfaces have been
       brought together using sufficient momentary pressure to establish full contact between both surfaces.

(B) The term does not include the following:
   (i) Rubber cements that are primarily intended for use on paper substrates.
   (ii) Vulcanizing fluids that are designed and labeled for tire repair only.

(39) "Contact adhesive-general purpose" means any contact adhesive that is not a contact adhesive-special purpose.

(40) "Contact adhesive-special purpose" means a contact adhesive that is used:
   (A) to bond:
       (i) melamine-covered board;
       (ii) unprimed metal;
       (iii) unsupported vinyl;
       (iv) Teflon;
       (v) ultrahigh molecular weight polyethylene;
       (vi) rubber; and
       (vii) high pressure laminate or wood veneer, one-sixteenth (1/16) inch or less in thickness;
   to any porous or nonporous surface, and is sold in units of product, less packaging, that contain more than eight (8)
   fluid ounces; or
   (B) in automotive applications that are:
       (i) automotive under the hood applications requiring heat, oil, or gasoline resistance; or
       (ii) body side molding, automotive weather strip, or decorative trim.

(41) "Container or packaging" means the part or parts of the consumer or institutional product that serve only to:
   (A) contain;
   (B) enclose;
   (C) incorporate;
   (D) deliver;
   (E) dispense;
   (F) wrap; or
   (G) store;
   the chemically formulated substance or mixture of substances that is solely responsible for accomplishing the purposes that
   the product was designed or intended. The term includes any article onto or into which the principal display panel and other
   accompanying literature or graphics are incorporated, etched, printed, or attached.

(42) "Crawling bug insecticide" means the following:
   (A) Any insecticide product that is designed for use against ants, cockroaches, or other household crawling arthropods,
       including, but not limited to:
       (i) mites;
       (ii) silverfish; or
       (iii) spiders.
   (B) The term does not include products designed to be used exclusively on humans or animals, or any house dust mite
       product.
   (C) For purposes of this definition only, the following apply:
       (i) "House dust mite product" means a product whose label, packaging, or accompanying literature states that
           the product is suitable for use against house dust mites, but does not indicate that the product is suitable for use
           against ants, cockroaches, or other household crawling arthropods.
       (ii) "House dust mite" means mites that:
(AA) feed primarily on skin cells shed in the home by humans and pets; and
(BB) belong to the:
   (aa) phylum Arthropoda;
   (bb) subphylum Chelicerata;
   (cc) class Arachnida;
   (dd) subclass Acari;
   (ee) order Astigmata; and
   (ff) family Pyroglyphidae.

(43) "Date code" means the day, month, and year on which the consumer product was manufactured, filled, or packaged, or a code indicating such a date.

(44) "Deodorant" means the following:
   (A) For products manufactured before June 1, 2011, any product including, but not limited to:
      (i) aerosols;
      (ii) roll-ons;
      (iii) sticks;
      (iv) pumps;
      (v) pads;
      (vi) creams; and
      (vii) squeeze bottles;
      that is intended by the manufacturer to be used to minimize odor in the human axilla by retarding the growth of bacteria that cause the decomposition of perspiration.
   (B) For products manufactured on or after June 1, 2011, any product including, but not limited to:
      (i) aerosol;
      (ii) roll-ons;
      (iii) sticks;
      (iv) pumps;
      (v) pads;
      (vi) creams; and
      (vii) squeeze bottles;
      that indicates or depicts on the container or packaging, or on any sticker or label affixed thereto, that the product can be used on or applied to the human axilla to provide a scent or minimize odor, or both.
   (C) A deodorant body spray product that indicates or depicts on the container or packaging, or on any sticker or label affixed thereto, that it can be used on or applied to the human axilla is a deodorant.

(45) "Deodorant body spray" means the following:
   (A) For products manufactured before June 1, 2011, a personal fragrance product with twenty percent (20%) or less fragrance.
   (B) For products manufactured on or after June 1, 2011, a personal fragrance product with twenty percent (20%) or less fragrance that is designed for application all over the human body to provide a scent.
   (C) A deodorant body spray product that indicates or depicts on the container or packaging, or on any sticker or label affixed thereto, that it can be used on or applied to the human axilla is a deodorant.

(46) "Device" means any instrument or contrivance (other than a firearm) that is designed for:
   (A) trapping;
   (B) destroying;
   (C) repelling; or
   (D) mitigating;
   any pest or any other form of plant or animal life (other than man and other than a bacterium, a virus, or another microorganism on or in a living man or other living animals). The term does not include equipment used for the application of pesticides when sold separately therefrom.

(47) "Disinfectant" means the following:
(A) Any product:
   (i) intended to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi, or
       viruses on surfaces or inanimate objects; and
   (ii) whose label is registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C.
       136, et seq.).

(B) The term does not include any of the following:
   (i) Products designed solely for use on human or animals.
   (ii) Products designed for agricultural use.
   (iii) Products designed solely for use in:
       (AA) swimming pools;
       (BB) therapeutic tubs; or
       (CC) hot tubs.
   (iv) Products that, as indicated on the principal display panel or label, are designed primarily for use as:
       (AA) bathroom and tile cleaners;
       (BB) glass cleaners;
       (CC) general purpose cleaners;
       (DD) toilet bowl cleaners; or
       (EE) metal polishes.

(48) "Distributor" means any person to whom a consumer product is sold or supplied for the purposes of resale or distribution
in commerce. The term does not include the following:
   (A) Manufacturers.
   (B) Retailers.
   (C) Consumers.

(49) "Double phase aerosol air freshener" means an aerosol air freshener with the liquid contents in two (2) or more distinct
phases that requires the product container be shaken before use to mix the phases, producing an emulsion.

(50) "Dry cleaning fluid" means the following:
   (A) Any nonaqueous liquid product designed and labeled exclusively for use on:
       (i) fabrics that are labeled "for dry clean only", such as clothing or drapery; or
       (ii) "S-coded" fabrics, that for the purpose of this definition, means an upholstery fabric designed to be cleaned
           only with water-free spot cleaning products as specified by the Joint Industry Fabric Standards Committee.
   (B) The term includes, but is not limited to, those products used by commercial dry cleaners and commercial
       businesses that clean fabrics, such as draperies, at the customer's residence or workplace.
   (C) The term does not include:
       (i) spot remover; or
       (ii) carpet and upholstery cleaner.

(51) "Dusting aid" means a product designed to assist in removing dust and other soils from floors and other surfaces without
leaving a wax or silicone based coating. The term does not include a pressurized gas duster.

(52) "Electrical cleaner" means the following:
   (A) A product labeled to remove heavy soils, such as grease, grime, or oil, from electrical equipment, including, but
       not limited to, the following:
       (i) Electric motors.
       (ii) Armatures.
       (iii) Relays.
       (iv) Electric panels.
       (v) Generators.
   (B) The term does not include the following:
       (i) General purpose cleaners.
       (ii) General purpose degreasers.
       (iii) Dusting aids.
(iv) Electronic cleaners.
(v) Energized electrical cleaners.
(vi) Pressurized gas dusters.
(vii) Engine degreasers.
(viii) Antistatic products.
(ix) Products designed to clean the casings or housings of electrical equipment.

(53) "Electronic cleaner" means the following:
(A) A product labeled for the removal of dirt, moisture, dust, flux, or oxides from the internal components of electronic or precision equipment, such as circuit boards, and the internal components of electronic devices, including, but not limited to, the following:
(i) Radios.
(ii) Compact disc (CD) players.
(iii) Digital video disc (DVD) players.
(iv) Computers.
(B) The term does not include the following products:
(i) General purpose cleaners.
(ii) General purpose degreasers.
(iii) Dusting aids.
(iv) Pressurized gas dusters.
(v) Engine degreasers.
(vi) Electrical cleaners.
(vii) Energized electrical cleaners.
(viii) Antistatic products.
(ix) Products designed to clean the casings or housings of electronic equipment.

(54) "Energized electrical cleaner" means a product that meets the following criteria:
(A) The product is labeled to clean or degrease, or both, electrical equipment where cleaning or degreasing, or both, is accomplished when:
(i) electrical current exists; or
(ii) there is a residual electrical potential from a component, such as a capacitor.
(B) The product label clearly displays the statements: "Energized Equipment use only. Not to be used for motorized vehicle maintenance, or their parts."

The term does not include electronic cleaners.

(55) "Engine degreaser" means a cleaning product designed to remove:
(A) grease;
(B) grime;
(C) oil; and
(D) other contaminants;
from the external surfaces of engines and other mechanical parts.

(56) "Existing product" means any:
(A) formulation of the same product category and form:
(i) sold;
(ii) supplied;
(iii) manufactured; or
(iv) offered for sale;
in Indiana prior to June 1, 2011; or
(B) subsequently introduced identical formulation.

(57) "Fabric protectant" means a product designed to be applied to fabric substrates to protect the surface from soiling from dirt and other impurities or to reduce absorption of liquid into the fabric's fibers. The term does not include the following:
(A) Waterproofers.
(B) Products designed for use solely on:
   (i) leather; or
   (ii) fabrics that are labeled "for dry clean only" and sold in containers of ten (10) fluid ounces or less.

(58) "Fabric refresher" means the following:
   (A) A product labeled to neutralize or eliminate odors on the following:
       (i) Nonlaundered fabric, including, but not limited to, the following:
           (AA) Soft household surfaces.
           (BB) Rugs.
           (CC) Carpeting.
           (DD) Draperies.
           (EE) Bedding.
           (FF) Automotive interiors.
           (GG) Footwear.
           (HH) Athletic equipment.
           (II) Clothing.
   (ii) Household furniture or objects upholstered or covered with fabrics, including, but not limited to, the following:
       (AA) Wool.
       (BB) Cotton.
       (CC) Nylon.
   (B) The term does not include the following:
       (i) Antistatic products.
       (ii) Carpet and upholstery cleaners.
       (iii) Footwear or leather care products.
       (iv) Spot removers.
       (v) Disinfectants.
       (vi) Products labeled for application to both fabric and human skin.
       (vii) Soft household surface sanitizers. For the purposes of this definition only, "soft household surface sanitizer" means a product labeled to neutralize or eliminate odors on surfaces listed in clause (A) whose label is registered as a sanitizer under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. 136 et seq.).

(59) "Facial cleaner or soap" means a cleaner or soap designed primarily to clean the face. The term:
   (A) includes, but is not limited to:
       (i) facial cleansing creams;
       (ii) semisolids;
       (iii) liquids;
       (iv) lotions; and
       (v) substrate-impregnated forms; and
   (B) does not include:
       (i) prescription drug products;
       (ii) antimicrobial hand or body cleaner or soap;
       (iii) astringent or toner;
       (iv) general use hand or body cleaner or soap;
       (v) medicated astringent or medicated toner; and
       (vi) rubbing alcohol.

(60) "Fat wood" means pieces of wood kindling with high naturally occurring levels of sap or resin that enhance ignition of the kindling. The term does not include any kindling with substances added to enhance flammability, such as wax-covered or wax-impregnated wood based products.

(61) "Flea and tick insecticide" means any insecticide product that is designed for use against:
   (A) fleas;
(B) ticks;
(C) their larvae; or
(D) their eggs.

The term does not include products that are designed to be used exclusively on humans or animals and their bedding.

(62) "Flexible flooring material" means the following:
(A) Asphalt.
(B) Cork.
(C) Linoleum.
(D) No-wax.
(E) Rubber.
(F) Seamless vinyl flooring.
(G) Vinyl composite flooring.

(63) "Flexible vinyl" means a nonrigid polyvinyl chloride plastic with at least five percent (5%), by weight, of plasticizer content, which may be determined using ASTM Method E260-96(2006) "Standard Practice for Packed Column Gas Chromatography"*, or from product formulation data. A plasticizer is a material, such as a high boiling point organic solvent, that is incorporated into a plastic to increase its flexibility, workability, or distensibility.

(64) "Flexible vinyl adhesive" means an aerosol adhesive designed to bond flexible vinyl to substrates.

(65) "Floor coating" means an opaque coating that is labeled and designed for application to flooring that may be subject to foot traffic, including, but not limited to, the following:
(A) Decks.
(B) Porches.
(C) Steps.
(D) Other horizontal surfaces.

(66) "Floor or wall covering adhesive remover" means a product designed or labeled to remove floor or wall coverings and associated adhesive from the underlying substrate.

(67) "Floor polish or wax" means a wax, polish, or any other product designed to polish, protect, or enhance floor surfaces by leaving a protective coating that is designed to be periodically replenished. The term does not include the following:
(A) Spray buff products.
(B) Products designed solely for the purpose of cleaning floors.
(C) Floor finish strippers.
(D) Products designed for unfinished wood floors.
(E) Coatings subject to architectural coatings regulations.

(68) "Floor seam sealer" means any product designed and labeled exclusively for bonding, fusing, or sealing (coating) seams between adjoining rolls of installed flexible sheet flooring.

(69) "Floor wax stripper" means a product designed to remove natural or synthetic floor polishes or waxes:
(A) through breakdown of the polish or wax polymers; or
(B) by dissolving or emulsifying the polish or wax.

The term does not include aerosol floor wax strippers or products designed to remove floor wax solely through abrasion.

(70) "Flying bug insecticide" means the following:
(A) Any insecticide product that is designed for use against flying insects or other flying arthropods, including, but not limited to, the following:
(i) Flies.
(ii) Mosquitoes.
(iii) Moths.
(iv) Gnats.
(B) The term does not include the following:
(i) Wasp and hornet insecticide.
(ii) Products that are designed to be used exclusively on humans or animals.
(iii) Any moth-proofing product. For purposes of this definition only, "moth-proofing product" means a product

whose label, packaging, or accompanying literature indicates that the product is designed to protect fabrics from
damage by moths but does not indicate that the product is suitable for use against flying insects or other flying
arthropods.

(71) "Footwear or leather care product" means the following:
(A) Any product designed or labeled to be applied to footwear or to other leather articles or components, to:
   (i) maintain;
   (ii) enhance;
   (iii) clean;
   (iv) protect; or
   (v) modify;
the appearance, durability, fit, or flexibility of the footwear or leather article or component. Footwear includes both
leather and nonleather foot apparel.
(B) The term does not include the following:
   (i) Fabric protectants.
   (ii) General purpose adhesives.
   (iii) Contact adhesives.
   (iv) Vinyl, fabric, leather, or polycarbonate coatings.
   (v) Rubber and vinyl protectants.
   (vi) Fabric refreshers.
   (vii) Products solely for deodorizing.
   (viii) Sealant products with adhesive properties used to create external protective layers greater than two (2)
millimeters thick.

(72) "Fragrance" means a substance or complex mixture of:
(A) aroma chemicals;
(B) natural essential oils; and
(C) other functional components;
with a combined vapor pressure not in excess of two (2) millimeters of mercury (mm Hg) at twenty (20) degrees Celsius, the
sole purpose of which is to impart an odor or scent or to counteract a malodor.

(73) "Furniture coating" means any paint designed for application to room furnishings, including, but not limited to, the
following:
(A) Cabinets (kitchen, bath, and vanity).
(B) Tables.
(C) Chairs.
(D) Beds.
(E) Sofas.

(74) "Furniture maintenance product" means a wax, polish, conditioner, or any other product designed for the purpose of
polishing, protecting, or enhancing finished wood surfaces other than floors. The term does not include the following:
(A) Dusting aids.
(B) Wood cleaners.
(C) Products designed solely for the purpose of cleaning.
(D) Products designed to leave a permanent finish, such as the following:
   (i) Stains.
   (ii) Sanding sealers.
   (iii) Lacquers.

(75) "Gasket or thread locking adhesive remover" means a product designed or labeled to remove gaskets or thread locking
adhesives. The term includes products labeled for dual use as a paint stripper and gasket remover or thread locking adhesive
remover.

(76) "Gel" means a colloid in which the disperse phase has combined with the continuous phase to produce a semisolid
material, such as jelly.
"General purpose adhesive" means any nonaerosol adhesive designed for use on a variety of substrates. The term does not include the following:

(A) Contact adhesives.
(B) Construction, panel, and floor covering adhesives.
(C) Adhesives designed exclusively for application on one (1) specific category of substrates that are composed of similar materials, including, but not limited to, different types of the following:
   (i) Metals.
   (ii) Paper products.
   (iii) Ceramics.
   (iv) Plastics.
   (v) Rubbers.
   (vi) Vinlys.
(D) Adhesives designed exclusively for use on one (1) specific category of articles, such as articles that may be composed of different materials but perform a specific function, including, but not limited to, the following:
   (i) Gaskets.
   (ii) Automotive trim.
   (iii) Weather stripping.
   (iv) Carpets.

"General purpose adhesive remover" means a product designed or labeled to remove cyanoacrylate adhesives and nonreactive adhesives or residue from a variety of substrates. The term includes, but is not limited to, products that remove the following:

(A) Thermoplastic adhesives.
(B) Pressure sensitive adhesives.
(C) Dextrine or starch based adhesives.
(D) Casein glues.
(E) Rubber or latex based adhesives.
(F) Stickers.
(G) Decals.
(H) Stencils.

The term does not include floor or wall covering adhesive remover.

"General purpose cleaner" means a product designed for general all-purpose cleaning, in contrast to cleaning products designed to clean specific substrates in certain situations. The term includes products designed for general floor cleaning, kitchen or countertop cleaning, and cleaners designed to be used on a variety of hard surfaces. The term does not include general purpose degreasers and electronic cleaners.

"General purpose degreaser" means the following:

(A) Any product labeled to remove or dissolve grease, grime, oil, and other oil based contaminants from a variety of substrates, including automotive or miscellaneous metallic parts.
(B) The term does not include the following:
   (i) Engine degreasers.
   (ii) General purpose cleaners.
   (iii) Adhesive removers.
   (iv) Electronic cleaners.
   (v) Electrical cleaners.
   (vi) Energized electrical cleaners.
   (vii) Metal polish or cleansers.
   (viii) Products used exclusively in solvent cleaning tanks or related equipment, including, but not limited to, the following:
      (AA) Cold cleaners.
      (BB) Vapor degreasers.
(CC) Conveyorized degreasers.
(DD) Film cleaning machines.
(EE) Products designed to clean miscellaneous metallic parts by immersion in a container.
(ix) Products that are:
(AA) sold exclusively to establishments that manufacture or construct goods or commodities; and
(BB) labeled "not for retail sale".

(81) "General use hand or body cleaner or soap" means a cleaner or soap designed to be used routinely on the skin to clean or remove typical or common dirt and soils. The term:
(A) includes, but is not limited to:
   (i) hand or body washes;
   (ii) dual-purpose shampoo and body cleaners;
   (iii) shower or bath gels; and
   (iv) moisturizing cleaners or soaps; and
(B) does not include:
   (i) prescription drug products;
   (ii) antimicrobial hand or body cleaner or soap;
   (iii) astringent or toner;
   (iv) facial cleaner or soap;
   (v) hand dishwashing detergent (including antimicrobial);
   (vi) heavy-duty hand cleaner or soap;
   (vii) medicated astringent or medicated toner; and
   (viii) rubbing alcohol.

(82) "Glass cleaner" means a cleaning product designed primarily for cleaning surfaces made of glass. The term does not include products designed solely for the purpose of cleaning optical materials used in the following:
   (A) Eyeglasses.
   (B) Photographic equipment.
   (C) Scientific equipment.
   (D) Photocopying machines.

(83) "Graffiti remover" means the following:
   (A) A product labeled to remove, from a variety of noncloth or nonfabric substrates, the following:
      (i) Spray paint.
      (ii) Ink.
      (iii) Marker.
      (iv) Crayon.
      (v) Lipstick.
      (vi) Nail polish.
      (vii) Shoe polish.
   (B) The term does not include the following:
      (i) Paint remover or stripper.
      (ii) Nail polish remover.
      (iii) Spot remover.
   (C) Products labeled for dual use as both a paint stripper and graffiti remover are considered graffiti removers.

(84) "Hair mousse" means a hairstyling foam designed to:
   (A) facilitate styling of a coiffure; and
   (B) provide limited holding power.

(85) "Hair shine" means any product designed for the primary purpose of creating a shine when applied to the hair. The term includes, but is not limited to, dual-use products designed primarily to impart a sheen to the hair. The term does not include the following:
   (A) Hair sprays.
(B) Hair mousses.
(C) Hairstyling products.
(D) Hairstyling gels.
(E) Products whose primary purpose is to condition or hold the hair.

(86) "Hair spray" means the following:

(A) For products manufactured before June 1, 2011, a consumer product designed primarily for the purpose of dispensing droplets of a resin on and into a hair coiffure that will impart sufficient rigidity to the coiffure to establish or retain the style for a period of time.

(B) For products manufactured on or after June 1, 2011, a consumer product that is:
   (i) applied to styled hair; and
   (ii) designed or labeled to provide sufficient rigidity to hold, retain, or finish, or both, the style of the hair for a period of time.

(C) The term includes the following:
   (i) Aerosol hair sprays.
   (ii) Pump hair sprays.
   (iii) Spray waxes.
   (iv) Products that are both a styling and a finishing product.
   (v) Color, glitter, or sparkle hair sprays that make finishing claims.

(D) The term does not include spray products that are intended to aid in styling but do not provide finishing of a hairstyle.

(E) For purposes of this definition, the following apply:
   (i) "Finish" or "finishing" means the maintaining or holding, or both, of previously styled hair for a period of time.
   (ii) "Styling" means forming, sculpting, or manipulating the hair to temporarily alter the hair's shape.

(87) "Hairstyling gel" means a consumer product manufactured before June 1, 2011, that is:

(A) a high viscosity, often gelatinous, product that contains a resin; and

(B) designed for the application to hair to aid in styling and sculpting of the hair coiffure.

(88) "Hairstyling product" means the following:

(A) A consumer product manufactured on or after June 1, 2011, that is designed or labeled for application to wet, damp, or dry hair to aid in:
   (i) defining;
   (ii) shaping;
   (iii) lifting;
   (iv) styling; or
   (v) sculpting;
   the hair.

(B) The term includes, but is not limited to, the following:
   (i) Products that aid in styling but do not provide finishing of a hairstyle, including, but not limited to, the following:
      (AA) Hair balm.
      (BB) Clay.
      (CC) Cream.
      (DD) Creme.
      (EE) Curl straightener.
      (FF) Gel.
      (GG) Liquid.
      (HH) Lotion.
      (II) Paste.
      (JJ) Pomade.
(KK) Putty.
(LL) Root lifter.
(MM) Serum.
(NN) Spray gel.
(OO) Stick.
(PP) Temporary hair straightener.
(QQ) Wax.
(RR) Spray products.
(ii) Leave-in detanglers, conditioners, or volumizers that make styling claims.

(C) The term does not include the following:
(i) Hair mousses.
(ii) Hair shines.
(iii) Hair sprays.
(iv) Shampoos or conditioners, or both, that are rinsed from the hair prior to styling.

(D) For purposes of this definition, the following apply:
(i) "Finish" or "finishing" means the maintaining or holding, or both, of previously styled hair for a period of time.
(ii) "Styling" means forming, sculpting, or manipulating the hair to temporarily alter the hair's shape.

(89) "Heavy-duty hand cleaner or soap" means the following:
(A) A product designed to clean or remove from the hand with or without the use of water difficult dirt and soils, including, but not limited to, the following:
(i) Oil.
(ii) Grease.
(iii) Grime.
(iv) Tar.
(v) Shellac.
(vi) Putty.
(vii) Printer's ink.
(viii) Paint.
(ix) Graphite.
(x) Cement.
(xi) Carbon.
(xii) Asphalt.
(xiii) Adhesives.

(B) The term does not include the following:
(i) Prescription drug products.
(ii) Antimicrobial hand or body cleaner or soap.
(iii) Astringent or toner.
(iv) Facial cleaner or soap.
(v) General use hand or body cleaner or soap.
(vi) Medicated astringent or medicated toner.
(vii) Rubbing alcohol.

(90) "Herbicide" means a pesticide product designed to kill or retard a plant's growth. The term does not include products that are:
(A) for agricultural use; or
(B) restricted materials that require a permit for use and possession.

(91) "High volatility organic compound" or "HVOC" means any volatile organic compound that exerts a vapor pressure greater than eighty (80) millimeters of mercury (mm Hg) when measured at twenty (20) degrees Celsius.

(92) "Household product" means any consumer product that is primarily designed to be used inside or outside of living
quarters or residences that are occupied or intended for occupation by individuals, including the immediate surroundings.

(93) "Indiana sales" means the sales (net pounds of product, less packaging and container, per year) in Indiana for either:
   (A) the calendar year immediately prior to the year that the registration is due; or
   (B) if that data is not available, any consecutive twelve (12) month period commencing not earlier than two (2) years prior to the due date of the registration.

If direct sales data for Indiana is not available, sales may be estimated by prorating national or regional sales data by population.

(94) "Insecticide" means a pesticide product that is designed for use against insects or other arthropods. The term does not include products that are:
   (A) for agricultural use;
   (B) for a use that requires a structural pest control license under IC 15-16-4; or
   (C) restricted materials that require a permit for use and possession.

(95) "Insecticide fogger" means any insecticide product designed to release all or most of its content, as a fog or mist, into indoor areas during a single application.

(96) "Institutional product", "industrial and institutional product", or "I & I product" means the following:
   (A) A consumer product that is designed for use in the maintenance or operation of an establishment that:
      (i) manufactures, transports, or sells goods or commodities or provides services for profit; or
      (ii) is engaged in the nonprofit promotion of a particular public, educational, or charitable cause.
   (B) The term does not include household products and products that are incorporated into or used exclusively in the manufacture or construction of the goods or commodities at the site of the establishment.
   (C) For purposes of this definition, "establishments" includes, but is not limited to, the following:
      (i) Government agencies.
      (ii) Factories.
      (iii) Schools.
      (iv) Hospitals.
      (v) Sanitariums.
      (vi) Prisons.
      (vii) Restaurants.
      (viii) Hotels.
      (ix) Stores.
      (x) Automobile service and parts centers.
      (xi) Health clubs.
      (xii) Theaters.
      (xiii) Transportation companies.

(97) "Label" means any written, printed, or graphic matter:
   (A) affixed to;
   (B) applied to;
   (C) attached to;
   (D) blown into;
   (E) formed into;
   (F) molded into;
   (G) embossed on; or
   (H) appearing upon;

any consumer product or consumer product package for purposes of branding, identifying, or giving information with respect to the product or to the contents of the package.

(98) "Laminate repair or edgebanding adhesive" means an aerosol adhesive designed for the following:
   (A) The touchup or repair of items laminated with high pressure laminates, for example, lifted edges, delaminates, etc. For purposes of this definition, "high pressure laminate" means sheet materials that consist of paper, fabric, or other core material that have been laminated at:
(i) temperatures exceeding two hundred sixty-five (265) degrees Fahrenheit; and
(ii) pressures between one thousand (1,000) and one thousand four hundred (1,400) psi.

(B) The touchup, repair, or attachment of edgebanding materials, including, but not limited to, the following:
   (i) Other laminates.
   (ii) Synthetic marble.
   (iii) Veneers.
   (iv) Wood molding.
   (v) Decorative metals.

(99) "Laundry prewash" means a product that:
   (A) is designed for application to a fabric prior to laundering; and
   (B) supplements and contributes to the effectiveness of laundry detergents or provides specialized performance, or both.

(100) "Laundry starch product" means a product that is designed for application to a fabric, either during or after laundering, to impart and prolong a crisp, fresh look and may also act to help ease ironing of the fabric. The term includes, but is not limited to, fabric finish, sizing, and starch.

(101) "Lawn and garden insecticide" means an insecticide product labeled primarily to be used in household lawn and garden areas to protect plants from insects or other arthropods. Notwithstanding the requirements of section 7(d) of this rule, aerosol lawn and garden insecticides may claim to kill insects or other arthropods.

(102) "Liquid" means a substance or mixture of substances that is capable of a visually detectable flow as determined under ASTM D4359-90(2000)e1 "Standard Test Method for Determining Whether a Material Is a Liquid or a Solid"*. The term does not include powders or other materials that are composed entirely of solid particles.

(103) "Lubricant" means the following:
   (A) A product designed to:
      (i) reduce friction, heat, noise, or wear between moving parts; or
      (ii) loosen rusted or immovable parts or mechanisms.
   (B) The term does not include the following:
      (i) Automotive power steering fluids.
      (ii) Products for use inside power generating motors, engines, and turbines and their associated power-transfer gearboxes.
      (iii) Two (2) cycle oils or other products designed to be added to fuels.
      (iv) Products for use on the human body or animals.
      (v) Products that are:
         (AA) sold exclusively to establishments that manufacture or construct goods or commodities; and
         (BB) labeled "not for retail sale".

(104) "LVP-VOC" means a chemical compound or mixture that contains at least one (1) carbon atom and meets one (1) of the following:
   (A) Has a vapor pressure less than one-tenth (0.1) millimeter of mercury (mm Hg) at twenty (20) degrees Celsius, as determined by CARB Method 310*.
   (B) Is a chemical compound with more than twelve (12) carbon atoms, or a chemical mixture comprised solely of compounds with more than twelve (12) carbon atoms as verified by formulation data, and the vapor pressure and boiling point are unknown.
   (C) Is a chemical compound with a boiling point greater than two hundred sixteen (216) degrees Celsius, as determined by CARB Method 310*.
   (D) Is the weight percent of a chemical mixture that boils above two hundred sixteen (216) degrees Celsius, as determined by CARB Method 310*.

For purposes of this definition, "chemical compound" means a molecule of definite chemical formula and isomeric structure, and "chemical mixture" means a substrate comprised of two (2) or more chemical compounds.

(105) "Manufacturer" means any person who:
   (A) imports;
(B) manufactures;
(C) assembles;
(D) produces;
(E) packages;
(F) repackages; or
(G) relabels;
a consumer product.

(106) "Medicated astringent or medicated toner" means any product regulated as a drug by the FDA that is applied to the skin for the purpose of cleaning or tightening pores. The term:

(A) includes, but is not limited to:
   (i) clarifiers; and
   (ii) substrate-impregnated products; and

(B) does not include:
   (i) hand, face, or body cleaners or soap products;
   (ii) astringents or toners;
   (iii) cold creams;
   (iv) lotions;
   (v) antiperspirants; and
   (vi) products that must be purchased with a doctor's prescription.

(107) "Medium volatility organic compound" or "MVOC" means any volatile organic compound that exerts a vapor pressure greater than two (2) millimeters of mercury (mm Hg) and less than or equal to eighty (80) mm Hg when measured at twenty (20) degrees Celsius.

(108) "Metal polish or cleanser" means any product designed primarily to improve the appearance of finished metal, metallic, or metallized surfaces by physical or chemical action. For purposes of this definition, "improve the appearance" means to remove or reduce stains, impurities, or oxidation from surfaces or to make surfaces smooth and shiny. The term:

(A) includes, but is not limited to, metal polishes used on:
   (i) brass;
   (ii) silver;
   (iii) chrome;
   (iv) copper;
   (v) stainless steel; and
   (vi) other ornamental metals; and

(B) does not include:
   (i) automotive waxes, polishes, sealants, or glazes;
   (ii) wheel cleaners;
   (iii) paint removers or strippers;
   (iv) products designed and labeled exclusively for automotive and marine detailing; or
   (v) products designed for use in degreasing tanks.

(109) "Mist spray adhesive" means any aerosol that:

(A) is not a special purpose spray adhesive; and

(B) delivers a particle or mist spray, resulting in the formation of fine, discrete particles that yield a generally uniform and smooth application of adhesive to the substrate.

(110) "Mounting adhesive" means an aerosol adhesive designed to permanently mount:

(A) photographs;
(B) artwork; and
(C) any other drawn or printed media;

to a backing (paper, board, cloth, etc.) without causing discoloration to the artwork.

(111) "Multipurpose dry lubricant" means any lubricant that is:

(A) designed and labeled to provide lubricity by depositing a thin film of:
(i) graphite;
(ii) molybdenum disulfide (moly);
(iii) polytetrafluoroethylene; or
(iv) closely related fluoropolymer (Teflon) on surfaces; and
(B) designed for general purpose lubrication or for use in a wide variety of applications.

(112) "Multipurpose lubricant" means any lubricant designed for general purpose lubrication or for use in a wide variety of applications. The term does not include the following:
(A) Multipurpose dry lubricants.
(B) Penetrants.
(C) Silicone based multipurpose lubricants.

(113) "Multipurpose solvent" means the following:
(A) Any organic liquid designed to be used for a variety of purposes, including cleaning or degreasing of a variety of substrates, or thinning, dispersing, or dissolving other organic materials.
(B) The term includes solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific, or other laboratories.
(C) The term does not include the following:
   (i) Solvents used in the following:
      (AA) Cold cleaners.
      (BB) Vapor degreasers.
      (CC) Conveyorized degreasers.
      (DD) Film cleaning machines.
   (ii) Solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment.

(114) "Nail polish" means any clear or colored coating designed for application to the fingernails or toenails, including, but not limited to, the following:
(A) Lacquers.
(B) Enamels.
(C) Acrylics.
(D) Base coats.
(E) Top coats.

(115) "Nail polish remover" means a product designed to remove nail polish and coatings from fingernails or toenails.

(116) "Nonaerosol product" means any consumer product that is not dispensed by a pressurized spray system.

(117) "Noncarbon containing compound" means any compound that does not contain any carbon atoms.

(118) "Nonresilient flooring" means flooring of a mineral content that is not flexible, including, but not limited to, the following:
(A) Terrazzo.
(B) Marble.
(C) Slate.
(D) Granite.
(E) Brick.
(F) Stone.
(G) Ceramic tile.
(H) Concrete.

(119) "Nonselective terrestrial herbicide" means a terrestrial herbicide product that is toxic to plants without regard to species.

(120) "Oven cleaner" means any cleaning product designed to clean and remove dried food deposits from oven walls.

(121) "Paint" means any pigmented liquid, liquefiable, or mastic composition designed for application to a substrate in a thin layer that is:
(A) converted to an opaque solid film after application; and
(B) used for protection, decoration, or identification or to serve some functional purpose, such as the:
   (i) filling or concealing of surface irregularities; or
   (ii) modification of light and heat radiation characteristics.

(122) "Paint remover or stripper" means any product designed to strip or remove paints or other related coatings, by chemical
action, from a substrate without markedly affecting the substrate. The term does not include the following:
   (A) Multipurpose solvents.
   (B) Paint brush cleaners.
   (C) Products designed and labeled exclusively graffiti removers.
   (D) Hand cleaner products that claim to remove paints and other related coatings from skin.

(123) "Penetrant" means a lubricant designed and labeled primarily to loosen metal parts that have bonded together due to
rusting, oxidation, or other causes. The term does not include multipurpose lubricants that claim to have penetrating qualities
but are not labeled primarily to loosen bonded parts.

(124) "Person" has the meaning set forth in IC 13-11-2-158.

(125) "Personal fragrance product" means any product that is applied to the human body or clothing for the primary purpose
of adding a scent or masking a malodor, including cologne, perfume, after-shave, and toilet water. The term does not include
the following:
   (A) Deodorant.
   (B) Medicated products designed primarily to alleviate fungal or bacterial growth on feet or other areas of the body.
   (C) Mouthwashes, breath fresheners, and deodorizers.
   (D) Lotions, moisturizers, powders, or other skin care products used primarily to alleviate skin conditions, such as
dryness and irritations.
   (E) Products designed exclusively for use on human genitalia.
   (F) Soaps, shampoos, and products primarily used to clean the human body.
   (G) Fragrance products designed to be used exclusively on nonhuman animals.

(126) "Pesticide" means any substance or mixture of substances labeled, designed, or intended for use:
   (A) in preventing, destroying, repelling, or mitigating any pest; or
   (B) as a defoliant, desiccant, or plant regulator.

The term does not include any substance, mixture of substances, or device that the U.S. EPA does not consider to be a
pesticide.

(127) "Polyolefin adhesive" means an aerosol adhesive designed to bond polyolefins to substrates.

(128) "Polystyrene foam adhesive" means an aerosol adhesive designed to bond polystyrene foam to substrates.

(129) "Pressurized gas duster" means a pressurized product labeled to remove dust from a surface solely by means of mass
air or gas flow, including the following surfaces:
   (A) Photographs.
   (B) Photographic film negatives.
   (C) Computer keyboards.
   (D) Other types of surfaces that cannot be cleaned with solvents.

The term does not include dusting aids.

(130) "Principal display panel or panels" means the part or parts of a label that are so designed as to most likely be displayed,
presented, shown, or examined under normal and customary conditions of display or purchase. Whenever a principal display
panel appears more than once, all requirements pertaining to the principal display panel shall pertain to all the principal
display panels.

(131) "Product brand name" means the name of the product exactly as it appears on the principal display panel of the
product.

(132) "Product category" means the applicable category that best describes the product as listed in this section and section
3(a) of this rule.

(133) "Product form" means, for the purpose of complying with section 7 of this rule only, the applicable form that most
accurately describes the product's dispensing form as follows:
   A = Aerosol Product
(134) "Product line" means a group of products of identical form and function belonging to the same product category or categories.

(135) "Propellant" means a liquefied or compressed gas that is used in whole or in part, such as a cosolvent, to expel a liquid or any other material from the same self-pressurized container or from a separate container.

(136) "Pump spray" means a packaging system in which the product ingredients within the container are:

A) not under pressure; and

B) expelled only while a pumping action is applied to:

(i) a button;

(ii) a trigger; or

(iii) another actuator.

(137) "Responsible ACP party" means the company, firm, or establishment that is listed on the ACP product's label. If the label lists two (2) or more companies, firms, or establishments, the responsible ACP party is the party that the ACP product was "manufactured for" or "distributed by", as noted on the label.

(138) "Responsible party" means the company, firm, or establishment that is listed on the product's label. If the label lists two (2) companies, firms, or establishments, the responsible party is the party that the product was "manufactured for" or "distributed by", as noted on the label.

(139) "Restricted materials" means pesticides established as restricted materials under applicable IC 15-16-4.

(140) "Retailer" means any person who sells, supplies, or offers consumer products for sale directly to consumers.

(141) "Retail outlet" means any establishment where consumer products are sold, supplied, or offered for sale directly to consumers.

(142) "Roll-on product" means any antiperspirant or deodorant that dispenses active ingredients by rolling a wetted ball or wetted cylinder on the affected area.

(143) "Rubber and vinyl protectant" means the following:

(A) Any product designed to protect, preserve, or renew vinyl, rubber, and plastic on the following:

(i) Vehicles.

(ii) Tires.

(iii) Luggage.

(iv) Furniture.

(v) Household products, such as the following:

(aa) Vinyl covers.

(bb) Clothing.

(cc) Accessories.

(B) The term does not include the following:

(i) Products designed primarily to clean the wheel rim, such as aluminum or magnesium wheel cleaners.

(ii) Tire cleaners that do not leave an appearance enhancing or protective substance on the tire.

(144) "Rubbing alcohol" means any product:

(A) containing isopropyl alcohol (also called isopropanol) or denatured ethanol; and

(B) labeled for topical use, usually to:

(i) decrease germs in minor cuts and scrapes; and

(ii) relieve minor muscle aches, as a rubefacient, and for massage.

(145) "Sealant and caulking compound" means the following:

(A) Any product with adhesive properties that is designed to fill, seal, waterproof, or weatherproof gaps or joints between two (2) surfaces.

(B) The term does not include the following:
(i) Roof cements and roof sealants.
(ii) Insulating foams.
(iii) Removable caulking compounds. For purposes of this definition only, "removable caulking compounds" means a compound that temporarily seals windows or doors for three (3) to six (6) month time intervals.
(iv) Clear, paintable, or water resistant caulking compounds. For purposes of this definition, "clear, paintable, or water resistant caulking compounds" means a compound:
   (AA) that contains no appreciable level of opaque fillers or pigments;
   (BB) transmits most or all visible light through the caulk when cured;
   (CC) is paintable; and
   (DD) is immediately resistant to precipitation upon application.
(v) Floor seam sealers.
(vi) Products designed exclusively for automotive uses.
(vii) Sealers that are applied as continuous coatings.
(viii) Units of product, less packaging, that weigh more than one (1) pound and consist of more than sixteen (16) fluid ounces.

(146) "Semisolid" means a product that, at room temperature, will not pour but will spread or deform easily including, but not limited to, the following:
   (A) Gels.
   (B) Pastes.
   (C) Greases.

(147) "Shaving cream" means an aerosol product that dispenses a foam lather intended to be used with a blade or cartridge razor, or other wet-shaving system, in the removal of facial or other bodily hair. The term does not include shaving gel.
(148) "Shaving gel" means an aerosol product that dispenses a post-foaming semisolid designed to be used with a blade, cartridge razor, or other shaving system in the removal of facial or other bodily hair. The term does not include shaving cream.

(149) "Silicone based multipurpose lubricant" means any lubricant that is designed and labeled:
   (A) to provide lubricity primarily through the use of silicone compounds, including, but not limited to, polydimethylsiloxane; and
   (B) for general purpose lubrication or for use in a wide variety of applications.

The term does not include products designed and labeled exclusively to release manufactured products from molds.

(150) "Single phase aerosol air freshener" means an aerosol air freshener:
   (A) with the liquid contents in a single homogeneous phase; and
   (B) that does not require that the product container be shaken before use.

(151) "Solid" means a substance or mixture of substances that, either whole or subdivided, such as the particles comprising a powder, is not capable of visually detectable flow as determined under ASTM D4359-90(2000)e1 "Standard Test Method for Determining Whether a Material Is a Liquid or a Solid".

(152) "Special purpose spray adhesive" means an aerosol adhesive that meets any of the following definitions:
   (A) Mounting adhesive.
   (B) Flexible vinyl adhesive.
   (C) Polystyrene foam adhesive.
   (D) Automobile headliner adhesive.
   (E) Polyolefin adhesive.
   (F) Laminate repair or edgebanding adhesive.
   (G) Automotive engine compartment adhesive.

(153) "Specialty adhesive remover" means a product designed to remove reactive adhesives from a variety of substrates. Reactive adhesives include adhesives that require a hardener or catalyst in order for the bond to occur including, but not limited to, the following:
   (A) Epoxies.
   (B) Urethanes.
The term does not include gasket or thread locking adhesive remover.

(154) "Spot remover" means the following:
   (A) Any product labeled to clean localized areas or remove localized spots or stains on cloth or fabric, such as:
       (i) drapes;
       (ii) carpets;
       (iii) upholstery; and
       (iv) clothing;
   that does not require subsequent laundering to achieve stain removal.
   (B) The term does not include the following:
       (i) Dry cleaning fluid.
       (ii) Laundry prewash.
       (iii) Multipurpose solvent.

(155) "Spray buff product" means a product designed to restore a worn floor finish in conjunction with a floor buffing machine and special pad.

(156) "Stick product" means any antiperspirant or deodorant that:
   (A) contains active ingredients in a solid matrix form; and
   (B) dispenses the active ingredients by frictional action on the affected area.

(157) "Structural waterproof adhesive" means an adhesive:
   (A) whose bond lines are resistant to conditions of continuous immersion in fresh or salt water; and
   (B) that conforms with Federal Specification MMM-A-181D (Type 1, Grade A)*.

(158) "Table B compound" means any carbon-containing compound listed as an exception to the definition of VOC identified by the CARB in Title 17, California Code of Regulations, Division 3, Chapter 1, Subchapter 8.5, Section 94508*.

(159) "Terrestrial" means to live on or grow from land.

(160) "Tire sealant and inflation" means any pressurized product that is designed to temporarily inflate and seal a leaking tire.

(161) "Toilet or urinal care product" means the following:
   (A) Any product designed or labeled to clean, deodorize, or clean and deodorize toilet bowls, toilet tanks, or urinals. Toilet bowls, toilet tanks, or urinals include, but are not limited to, the following:
       (i) Toilets or urinals connected to permanent plumbing in buildings and other structures.
       (ii) Portable toilets or urinals placed at temporary or remote locations.
       (iii) Toilets or urinals in vehicles, such as the following:
           (AA) Buses.
           (BB) Recreational motor homes.
           (CC) Boats.
           (DD) Ships.
           (EE) Aircraft.
   (B) The term does not include the following:
       (i) Bathroom and tile cleaner.
       (ii) General purpose cleaner.

(162) "Type A propellant" means a compressed gas, such as carbon dioxide (CO₂), nitrogen (N₂), or nitrous oxide (N₂O), or compressed air that is used as a propellant and is either incorporated with the product or contained in a separate chamber within the product's packaging.

(163) "Type B propellant" means any halocarbon that is used as a propellant including the following:
   (A) Chlorofluorocarbons (CFCs).
   (B) Hydrochlorofluorocarbons (HCFCs).
   (C) Hydrofluorocarbons (HFCs).

(164) "Type C propellant" means any propellant that is not a Type A or Type B propellant, including the following:
   (A) Propane.
(B) Isobutane.
(C) n-Butane.
(D) Dimethyl ether (also known as dimethyl oxide).

(165) "Undercoating" means any aerosol product designed to impart a protective, nonpaint layer to the undercarriage, trunk interior, or firewall of motor vehicles to prevent the formation of rust or to deaden sound. The term includes, but is not limited to, rubberized, mastic, or asphaltic products.

(166) "Usage directions" means the text or graphics on the product's principal display panel, label, or accompanying literature that describes to the end user how and in what quantity the product is to be used.

(167) "Vinyl, fabric, leather, or polycarbonate coating" means a coating designed and labeled exclusively to coat vinyl, fabric, leather, or polycarbonate substrates.

(168) "VOC content" means, except for charcoal lighter products, the total weight of VOC in a product expressed as a percentage of the product weight (exclusive of the container or packaging), as determined under section 9 of this rule.

(169) "Volatile organic compound" or "VOC" has the meaning set forth in 326 IAC 1-2-90.

(170) "Wasp and hornet insecticide" means any insecticide product that is designed for use against:

(A) wasps;
(B) hornets;
(C) yellow jackets; or
(D) bees;

by allowing the user to spray from a distance a directed stream or burst at the intended insects or their hiding place.

(171) "Waterproofer" means a product designed and labeled exclusively to repel water from fabric or leather substrates. The term does not include fabric protectants.

(172) "Wax" means a material or synthetic thermoplastic substance generally of high molecular weight hydrocarbons or high molecular weight esters of fatty acids or alcohols, except glycerol and high polymers (plastics). The term includes, but is not limited to, the following:

(A) Substances derived from the secretions of plants and animals, such as carnauba wax and beeswax.
(B) Substances of a mineral origin, such as ozocerite and paraffin.
(C) Synthetic polymers, such as polyethylene.

(173) "Web spray adhesive" means any aerosol adhesive that is not a mist spray or special purpose spray adhesive.

(174) "Wood cleaner" means the following:

(A) A product labeled to clean wooden materials, including, but not limited to, the following:
   (i) Decking.
   (ii) Fences.
   (iii) Flooring.
   (iv) Logs.
   (v) Cabinetry.
   (vi) Furniture.

(B) The term does not include the following:
   (i) Dusting aids.
   (ii) General purpose cleaners.
   (iii) Furniture maintenance products.
   (iv) Floor wax strippers.
   (v) Floor polishes or waxes.
   (vi) Products designed and labeled exclusively to preserve or color wood.

(175) "Wood floor wax" means wax based products for use solely on wood floors.

*These documents are incorporated by reference. Copies are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Division; 326 IAC 8-15-2; filed Nov 1, 2010, 12:38 p.m.: 20101201-IR-326070351FRA)
**326 IAC 8-15-3 Standards**

**Authority:** IC 13-14-8; IC 13-17-3-4  
**Affected:** IC 13-17  

Sec. 3. (a) Except as provided in sections 4 through 6 of this rule, no person shall sell, supply, offer for sale, or manufacture for sale in Indiana any consumer product manufactured on or after June 1, 2011, that contains VOCs in excess of the VOC content limits specified in the following table of standards:

<table>
<thead>
<tr>
<th>Product Category</th>
<th>VOC Standard (percent VOC by weight)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Adhesives:</strong></td>
<td></td>
</tr>
<tr>
<td>Aerosol mist spray</td>
<td>65</td>
</tr>
<tr>
<td>Aerosol web spray</td>
<td>55</td>
</tr>
<tr>
<td>Special purpose spray adhesives:</td>
<td></td>
</tr>
<tr>
<td>Mounting, automotive engine compartment, and flexible vinyl</td>
<td>70</td>
</tr>
<tr>
<td>Polystyrene foam and automotive headliner</td>
<td>65</td>
</tr>
<tr>
<td>Polylefin and laminate repair or edgebanding</td>
<td>60</td>
</tr>
<tr>
<td>Construction, panel, and floor</td>
<td>15</td>
</tr>
<tr>
<td>Contact</td>
<td>80</td>
</tr>
<tr>
<td>Contact general purpose</td>
<td>55</td>
</tr>
<tr>
<td>Contact special purpose</td>
<td>80</td>
</tr>
<tr>
<td>General purpose</td>
<td>10</td>
</tr>
<tr>
<td>Structural waterproof</td>
<td>15</td>
</tr>
<tr>
<td><strong>Adhesive removers:</strong></td>
<td></td>
</tr>
<tr>
<td>Floor or wall covering</td>
<td>5</td>
</tr>
<tr>
<td>Gasket or thread locking</td>
<td>50</td>
</tr>
<tr>
<td>General purpose</td>
<td>20</td>
</tr>
<tr>
<td>Specialty</td>
<td>70</td>
</tr>
<tr>
<td><strong>Air fresheners:</strong></td>
<td></td>
</tr>
<tr>
<td>Single phase aerosol</td>
<td>30</td>
</tr>
<tr>
<td>Double phase aerosol</td>
<td>25</td>
</tr>
<tr>
<td>Liquids or pump sprays</td>
<td>18</td>
</tr>
<tr>
<td>Solids or semisolids</td>
<td>3</td>
</tr>
<tr>
<td><strong>Antiperspirants:</strong></td>
<td></td>
</tr>
</tbody>
</table>
| Aerosol | 40 HVOC  
10 MVOC |
| Nonaerosol | 0 HVOC  
0 MVOC |
| **Antistatic product, nonaerosol** | 11 |
| **Automotive brake cleaners** | 45 |
| **Automotive rubbing or polishing compound** | 17 |
| **Automotive wax, polish, sealant, or glaze:** | |
| Hard paste waxes | 45 |
| Instant detailers | 3 |
| All other forms | 15 |
| **Automotive windshield washer fluids** | 35 |
### VOLATILE ORGANIC COMPOUND RULES

<table>
<thead>
<tr>
<th>Product Category</th>
<th>Form</th>
<th>Combination</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bathroom and tile cleaners:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aerosol</td>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other forms</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bug and tar remover</td>
<td>40</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carburetor or fuel injection air intake cleaners</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carpet and upholstery cleaners:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aerosols</td>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nonaerosol (dilutables)</td>
<td>0.1</td>
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</tr>
<tr>
<td>Nonaerosol (ready-to-use)</td>
<td>3.0</td>
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<tr>
<td>Charcoal lighter material</td>
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<tr>
<td>Cooking spray, aerosols</td>
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<tr>
<td>Deodorants:</td>
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<tr>
<td>Aerosol</td>
<td>0 HVOC</td>
<td>0 MVOC</td>
<td></td>
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<tr>
<td>Nonaerosol</td>
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<td>0 MVOC</td>
<td></td>
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<tr>
<td>Dusting aids:</td>
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<tr>
<td>Aerosols</td>
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<tr>
<td>All other forms</td>
<td>7</td>
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</tr>
<tr>
<td>Electrical cleaner</td>
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<tr>
<td>Electronic cleaner</td>
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<tr>
<td>Engine degreasers:</td>
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<tr>
<td>Aerosol</td>
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<td>Nonaerosol</td>
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<td>Fabric protectants</td>
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<td>Fabric refresher:</td>
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<td>Aerosol</td>
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<td>Nonaerosol</td>
<td>6</td>
<td></td>
<td></td>
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<tr>
<td>Floor polishes or waxes:</td>
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<tr>
<td>Products for flexible flooring materials</td>
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<tr>
<td>Products for nonresilient flooring</td>
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<tr>
<td>Wood floor wax</td>
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<tr>
<td>Floor wax strippers, nonaerosol:</td>
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<tr>
<td>Footwear or leather care products:</td>
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<tr>
<td>Aerosol</td>
<td>75</td>
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<tr>
<td>Solid</td>
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<tr>
<td>Other forms</td>
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<tr>
<td>Furniture maintenance products:</td>
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<tr>
<td>Aerosol</td>
<td>17</td>
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<tr>
<td>All other forms except solid or paste</td>
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<tr>
<td>General purpose cleaners:</td>
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<td>Aerosol</td>
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<td>Nonaerosol</td>
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<tr>
<td>General purpose degreasers:</td>
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<tr>
<td>Category</td>
<td>Aerosol</td>
<td>Nonaerosol</td>
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<tr>
<td>--------------------------------------</td>
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<td></td>
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<tr>
<td>Glass cleaners:</td>
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<td>Nonaerosol</td>
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<td>Graffiti remover:</td>
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<tr>
<td>Aerosol</td>
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<tr>
<td>Nonaerosol</td>
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<tr>
<td>Hair mousse</td>
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</tr>
<tr>
<td>Hair shines</td>
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<td>Hair sprays</td>
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<tr>
<td>Hairstyling gels</td>
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<td></td>
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<td>Hairstyling products:</td>
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<tr>
<td>Aerosol and pump sprays</td>
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<td></td>
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</tr>
<tr>
<td>All other forms</td>
<td>2</td>
<td></td>
<td></td>
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<tr>
<td>Heavy-duty hand cleaner or soap</td>
<td>8</td>
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<tr>
<td>Insecticides:</td>
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<tr>
<td>Crawling bug (aerosol)</td>
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<tr>
<td>Crawling bug (all other forms)</td>
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<tr>
<td>Flea and tick</td>
<td>25</td>
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<tr>
<td>Flying bug (aerosol)</td>
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</tr>
<tr>
<td>Flying bug (all other forms)</td>
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<tr>
<td>Foggers</td>
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<tr>
<td>Lawn and garden (nonaerosol)</td>
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<tr>
<td>Lawn and garden (all other forms)</td>
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<td></td>
</tr>
<tr>
<td>Wasp and hornet</td>
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<tr>
<td>Laundry prewash:</td>
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</tr>
<tr>
<td>Aerosol or solids</td>
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<tr>
<td>All other forms</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Laundry starch products</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Metal polish or cleaners</td>
<td>30</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multipurpose lubricant (excluding solid or semisolid products)</td>
<td>50</td>
<td></td>
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<td>Oven cleaners:</td>
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<td>Aerosol or pump sprays</td>
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<td>Liquids</td>
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<td>Paint removers or strippers</td>
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<td>Rubber and vinyl protectants:</td>
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<td>Sealants and caulking compounds</td>
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<td>Shaving creams</td>
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(b) No person shall:
(1) sell;
(2) supply;
(3) offer for sale; or
(4) manufacture for sale;
in Indiana any antiperspirant or deodorant that contains any compound that has been identified by the CARB in Title 17, California Code of Regulations, Division 3, Chapter 1, Subchapter 7, Section 93000* as a toxic air contaminant.

(c) Products that are diluted prior to use shall satisfy the following requirements:
(1) For consumer products for which the label, packaging, or accompanying literature specifically states that the product should be diluted with water or non-VOC solvent prior to use, the VOC content limits specified in subsection (a) shall apply to the product only after the minimum recommended dilution has taken place. For purposes of this rule, minimum recommended dilution shall not include recommendations for incidental use of a concentrated product to deal with limited special applications such as hard-to-remove soils or stains.
(2) For consumer products for which the label, packaging, or accompanying literature states that the product should be diluted with any VOC solvent prior to use, the limits specified in subsection (a) shall apply to the product only after the maximum recommended dilution has taken place.

(d) The following provisions apply to the sell-through of products:
(1) Notwithstanding the provisions of subsections (a) and (g), a consumer product manufactured prior to the effective date of this rule, June 1, 2011, may be sold, supplied, or offered for sale after the effective date of this rule, June 1, 2011.
(2) Subdivision (1) does not apply to any consumer product that does not display on the product container or package the date on which the product was manufactured, or a code indicating the date, in accordance with section 6(a) of this rule.
(e) For consumer products subject to this rule that are registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. Section 136, et seq.), the effective date of the VOC standards specified in subsection (a) is June 1, 2012.
(f) The following requirements apply to all charcoal lighter materials:
(1) No person shall sell, supply, or offer for sale after June 1, 2011, any charcoal lighter material product unless at the time of the transaction the manufacturer can demonstrate that the product has been issued a currently effective certification by one (1) of the following:
(A) The CARB under the Consumer Products provisions under Subchapter 8.5, Article 2, Section 94509(h), of Title 17 of the California Code of Regulations. The certification remains in effect for Indiana for as long as the CARB certification remains in effect.
(B) A certification by an air pollution control agency of another state and the U.S. EPA. The certification must be current at the time of the transaction.
(2) Upon request by the department, a manufacturer claiming certification in accordance with subdivision (1) shall submit to the department a copy of the certification decision, that is, the Executive Order, including all conditions established by CARB applicable to the certification.
(g) The following requirements apply to aerosol adhesives:
(1) The VOC standards for aerosol adhesives apply to all uses of aerosol adhesives including consumer, industrial, and commercial uses. Except as otherwise provided in sections 4 and 5 of this rule, no person shall sell, supply, offer for sale, use, or manufacture for sale in Indiana any aerosol adhesive that, at the time of sale, use, or manufacture, contains VOCs in excess of the VOC limits specified in subsection (a).

(2) In order to qualify as a special purpose spray adhesive, the product must meet one (1) or more of the definitions in section 2 of this rule, but if the product label indicates that the product is suitable for use on any substrate or application not listed in one (1) of the definitions for special purpose spray adhesive, then the product shall be classified as either a web spray adhesive or a mist spray adhesive. If a product:
   (A) meets more than one (1) of the definitions in section 2 of this rule for a special purpose spray adhesive; and
   (B) is not classified as a web spray adhesive or mist spray adhesive;
then the VOC content limit for the product shall be the lowest applicable VOC content limit specified in subsection (a).

(3) Effective, June 1, 2011, no person shall sell, supply, offer for sale, or manufacture for use in Indiana any aerosol adhesive that contains any of the following compounds:
   (A) Methylene chloride.
   (B) Perchloroethylene.
   (C) Trichloroethylene.

(4) All aerosol adhesives must comply with the labeling requirements specified in section 7 of this rule.

(h) The following requirements apply to floor wax strippers:
   (1) The label of each nonaerosol floor wax stripper must specify a dilution ratio for light or medium buildup of polish that results in an as-used VOC concentration of three percent (3%) by weight or less.
   (2) If a nonaerosol floor wax stripper is also intended to be used for removal of heavy buildup of polish, the label of that floor wax stripper must specify a dilution ratio for heavy buildup of polish that results in an as-used VOC concentration of twelve percent (12%) by weight or less.

(i) The following requirements apply to products containing ozone depleting compounds:
   (1) For any consumer product subject to subsection (a), no person shall sell, supply, offer for sale, or manufacture for sale in Indiana any consumer product that contains any of the following ozone depleting compounds:
       (A) Trichlorofluoromethane (CFC-11).
       (B) Dichlorodifluoromethane (CFC-12).
       (C) 1,1,1-trichloro-2,2,2-trifluoroethane (CFC-113).
       (D) 1-chloro-1,1-difluoro-2-chloro-2,2-difluoroethane (CFC-114).
       (E) Chloropentafluoroethane (CFC-115).
       (F) Bromochlorodifluoromethane (Halon 1211).
       (G) Bromotrifluoromethane (Halon 1301).
       (H) Dibromotetrafluoroethane (Halon 2402).
       (I) Chlorodifluoromethane (HCFC-22).
       (J) 2,2-dichloro-1,1,1-trifluoroethane (HCFC-123).
       (K) 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124).
       (L) 1,1-dichloro-1-fluoroethane (HCFC-141b).
       (M) 1-chloro-1,1-difluoroethane (HCFC-142b).
       (N) 1,1,1-trichloroethane.
       (O) Carbon tetrachloride.
   (2) The requirements in subdivision (1) shall not apply to any existing product formulation that:
       (A) complies with the VOC content limits listed in subsection (a); or
       (B) is reformulated to meet the VOC content limits in subsection (a) provided the ozone depleting compound content of the reformulated product does not increase.

(3) The requirements of subdivision (1) shall not apply to any ozone depleting compounds that may be present as impurities in a consumer product in an amount equal to or less than one-hundredth of one percent (0.01%) by weight of the product.
(j) The following requirements apply to adhesive removers, contact adhesives, electrical cleaners, electronic cleaners, footwear or leather care products, general purpose degreasers, and graffiti removers:

(1) Except as provided in subdivisions (2) and (4), effective June 1, 2011, no person shall sell, supply, offer for sale, or manufacture for use in Indiana any adhesive remover, contact adhesive, electrical cleaner, electronic cleaner, footwear or leather care product, general purpose degreaser, or graffiti remover that contains any of the following compounds:

(A) Methylene chloride.
(B) Perchloroethylene.
(C) Trichloroethylene.

(2) Products manufactured before June 1, 2011, may be sold, supplied, or offered for sale until June 1, 2014, so long as the product container or package displays the date on which the product was manufactured, or a code indicating the date, in accordance with section 7(a) of this rule.

(3) Any person who sells or supplies a consumer product identified in subdivision (1) must notify the purchaser of the product in writing that the sell-through period for that product will end on June 1, 2014 if both of the following conditions are met:

(A) The product is sold or supplied to a distributor or retailer.
(B) The product is sold or supplied on or after May 31, 2014.

(4) The requirements of subdivisions (1) and (3) shall not apply to any adhesive remover, contact adhesive, electrical cleaner, electronic cleaner, footwear or leather care product, general purpose degreaser, or graffiti remover containing methylene chloride, perchloroethylene, or trichloroethylene that is present as an impurity in a combined amount equal to or less than one-hundredth of one percent (0.01%) by weight.

*This document is incorporated by reference. Copies are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Division; 326 IAC 8-15-3; filed Nov 1, 2010, 12:38 p.m.: 20101201-IR-326070351FRA)

326 IAC 8-15-4 Exemptions

Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-127

Sec. 4. (a) This rule shall not apply to any consumer product manufactured in Indiana for shipment and use outside of Indiana.

(b) This rule shall not apply to a manufacturer or distributor who sells, supplies, or offers for sale in Indiana a consumer product that does not comply with the VOC standards specified in section 3(a) of this rule, as long as the manufacturer or distributor can demonstrate both that the:

(1) consumer product is intended for shipment and use outside of Indiana; and
(2) manufacturer or distributor has taken reasonable prudent precautions to assure that the consumer product is not distributed in Indiana.

c) Subsection (b) does not apply to consumer products that are sold, supplied, or offered for sale by any person to retail outlets in Indiana.

(d) A retailer who sells, offers for sale, or holds for sale in Indiana a consumer product that violates the VOC content limits specified in section 3(a) of this rule will not be in violation of this rule if the retailer:

(1) upon determining that a noncomplying product was purchased, immediately discontinues sale of the consumer product in Indiana; and
(2) demonstrates to the satisfaction of the department that the purchase was made with reasonable good faith efforts to assure that the product met the applicable requirements of this rule. Good faith efforts may be demonstrated by the following:

(A) Written communication between the retailer and the manufacturers and distributors that the retailer will accept only consumer products for sale in Indiana that comply with this rule.
(B) Written agreements between the retailer and the manufacturers and distributors in which the manufacturers and distributors commit to supply to the retailer only consumer products that comply with this rule.
(C) The retailer’s use of invoices, purchase orders, and other contractual and billing documents that specify that the retailer will only accept consumer products that comply with this rule.

(e) The MVOC content standards specified in section 3(a) of this rule for antiperspirants or deodorants shall not apply to ethanol.

(f) The VOC limits specified in section 3(a) of this rule shall not apply to the following:
(1) Fragrances up to a combined level of two percent (2%) by weight contained in any consumer product and shall not apply to colorants up to a combined level of two percent (2%) by weight contained in any antiperspirant or deodorant.
(2) Antiperspirants or deodorants, for those VOCs that contain more than ten (10) carbon atoms per molecule and for which the vapor pressure is unknown, or that have a vapor pressure of two (2) mm Hg or less at twenty (20) degrees Celsius.
(3) Any LVP-VOC.
(4) Air fresheners that are comprised entirely of fragrance, less compounds not defined as VOCs under section 2 of this rule or exempted under subdivision (3).
(5) Insecticides containing at least ninety-eight percent (98%) para-dichlorobenzene.
(6) Adhesives sold in containers of one (1) fluid ounce or less.
(7) Bait station insecticides. For purposes of this subsection, "bait station insecticides" means containers enclosing an insecticidal bait that is not more than five-tenths (0.5) ounce by weight, where the bait is:
(A) designed to be ingested by insects; and
(B) composed of solid material feeding stimulants with less than five percent (5%) active ingredients.

(g) The requirements of section 7(a) of this rule shall not apply to consumer products registered under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136, et seq.).

326 IAC 8-15-5 Innovative products exemption

Authority:  IC 13-14-8; IC 13-17-3-4
AFFECTED:  IC 13-17

Sec. 5. (a) A consumer product is exempt from the VOC limit requirements of section 3(a) of this rule if the manufacturer has been granted an innovative product exemption by one (1) of the following:
(1) The CARB under the Innovative Products provisions in:
   (A) Subchapter 8.5, Article 2, Section 94511 of Title 17 of the California Code of Regulations; or
   (B) Subchapter 8.5, Article 1, Section 94503.5 of Title 17 of the California Code of Regulations.
(2) The air pollution control agency of another state that has adopted a consumer and commercial product rule with an innovative products exemption provision substantially equivalent to the OTC "Model Rule for Consumer Products", September 13, 2006.
(b) An innovative products exemption in accordance with subsection (a) shall be valid for use in Indiana when all of the following requirements are met:
(1) The innovative product exemption is still in effect and has not expired.
(2) The manufacturer claiming an innovative products exemption in accordance with subsection (a)(1) shall do the following:
   (A) Submit to the department a copy of the CARB innovative product exemption decision, that is, the Executive Order, including all conditions established by CARB applicable to the exemption.
   (B) Maintain all information specified in the innovative product exemption approving an innovative product application for a minimum of three (3) years after the expiration of the exemption.
   (C) Make all records available to the department or the U.S. EPA upon request.
(3) The manufacturer claiming an innovative products exemption in accordance with subsection (a)(2) shall certify to the department the following:
   (A) The product (including its form) for which the innovative products exemption is being used to comply with this rule satisfies the following requirements:
      (i) The product belongs to a chemically formulated consumer product category that is subject to a VOC content limit in section 3(a) of this rule.
(ii) The VOC content limit promulgated for this product by the air pollution control agency that issued the innovative products exemption is equal to or more stringent than the most stringent applicable VOC content limit specified in section 3(a) of this rule.

(B) The manufacturer must demonstrate to the department by clear and convincing evidence that, due to some characteristic of the product formulation, design, delivery systems, or other fact, the use of the product will result in less VOC emissions compared to either the VOC emissions from a representative chemically formulated consumer product that complies with the VOC content limits in section 3(a) of this rule, or as compared to the calculated VOC emissions from a noncomplying representative product, if the product has been reformulated to comply with the VOC limits specified in section 3(a) of this rule.

(C) Prior to relying on an innovative products exemption for compliance, the manufacturer must submit to the department the following information:

(i) A statement that, for a specified chemically formulated consumer product that it manufactures, the manufacturer intends to comply with this section under an innovative products exemption rather than meet the applicable VOC content limits in section 3(a) of this rule.

(ii) The brand name of the consumer product, and the specific chemically formulated consumer product category in section 3(a) of this rule that the product belongs to, including its forms (if applicable).

(iii) A copy of the following:

(AA) The documents setting forth the innovative products exemption.

(BB) The issuing state's air pollution control agency's approval.

(CC) The issuing state's air pollution control agency's conditions of approval.

-DD) The demonstration of clause (B).

(EE) Any documents from the issuing state's air pollution control agency that subsequently modifies or terminates its conditions of approval.

(FF) Documentation demonstrating compliance with the innovative products exemption.

(iv) A statement that the innovative products exemption and the product or products for which the innovative products exemption is being used conform with the requirements of clauses (A) and (B) and this clause.

(c) If the VOC limits specified in section 3(a) of this rule are lowered for a product category through any subsequent rulemaking, all innovative product exemptions granted for products in the product category shall have no force and effect as of the effective date of the modified VOC standard. This subsection shall not apply to those innovative products that have VOC emissions less than the applicable lowered VOC limit and for which a written notification of the product's emissions status versus the lowered VOC limit has been submitted to and approved by the department at least sixty (60) days before the effective date of the limits.

(d) If the consumer product for which an exemption has been granted no longer meets the criteria for an innovative product exemption, the department may revoke the exemption as necessary. (Air Pollution Control Division; 326 IAC 8-15-5; filed Nov 1, 2010, 12:38 p.m.: 20101201-IR-326070351FRA)

326 IAC 8-15-6 Alternative control plan

Authority: IC 13-14-8; IC 13-17-3-4

Affected: IC 13-17

Sec. 6. (a) The purpose of this section is to provide an alternative method to comply with the limits in section 3(a) of this rule by allowing responsible alternative control plan (ACP) parties the option of voluntarily entering into separate ACPs for consumer products as specified in this section. Only responsible ACP parties for consumer products may enter into an ACP.

(b) Any manufacturer of consumer products shall be exempt from the VOC limit requirements of section 3(a) of this rule if they have been granted an ACP agreement by one (1) of the following:

(1) The CARB under the provisions in Subchapter 8.5, Article 4, Sections 9450-94555, of Title 17 of the California Code of Regulations.

(2) The air pollution control agency of another state that has adopted a consumer and commercial product rule with ACP provisions substantially equivalent to the OTC "Model Rule for Consumer Products", September 13, 2006.

(c) An ACP agreement in accordance with subsection (b) shall be valid for use in Indiana when all of the following
VOLATILE ORGANIC COMPOUND RULES

requirements are met:

(1) The ACP agreement is in effect and has not expired.

(2) The responsible ACP party claiming an exemption in accordance with subsection (b)(1) shall do the following:
   (A) Submit to the department the following:
      (i) A copy of the CARB ACP decision, that is, the Executive Order, including all conditions established by
          CARB applicable to the exemption.
      (ii) A statement that all ACP products within the ACP agreement are subject to the VOC limits in section 3(a)
          of this rule.
   (B) Maintain all information specified in the ACP agreement approving an ACP exemption for a minimum of three
       (3) years after the expiration of the ACP.
   (C) Make all records available to the department or the U.S. EPA upon request.

(3) The responsible ACP party claiming an exemption in accordance with subsection (b)(2) shall certify to the department
   the following:
   (A) The product (including its form) for which ACP agreement exemption is being used to comply with this rule
       satisfies the following requirements:
      (i) The product belongs to a chemically formulated consumer product category that is subject to a VOC content
          limit in section 3(a) of this rule.
      (ii) The VOC content limit promulgated for this product by the air pollution control agency that issued the ACP
          agreement is equal to or more stringent than the most stringent applicable VOC content limit specified in
          section 3(a) of this rule.
   (B) Prior to relying on an ACP agreement for compliance, the responsible ACP party must submit to the department
       the following information:
      (i) A statement that, for a specified chemically formulated consumer product that it manufactures, the
          manufacturer intends to comply with this section under an ACP agreement rather than meet the applicable VOC
          content limits in section 3(a) of this rule.
      (ii) The brand name of the consumer product, and the specific chemically formulated consumer product category
          in section 3(a) of this rule that the product belongs to, including its forms (if applicable).
      (iii) A copy of the following:
             (AA) The documents setting forth the ACP agreement.
             (BB) The issuing state's air pollution control agency's approval.
             (CC) The issuing state's air pollution control agency's conditions of approval.
             (DD) Any documents from the issuing state's air pollution control agency that subsequently modifies or
                  terminates its conditions of approval.
             (EE) Documentation demonstrating compliance with the ACP agreement.
      (iv) A statement that the ACP agreement and the product or products for which the ACP agreement is being
           used conform with the requirements of clause (A) and this clause.

(d) The responsible ACP party shall notify the department, in writing, of any change not later than fifteen (15) working days
   from the date that a change occurs in an ACP product's:
   (1) name;
   (2) formulation;
   (3) form;
   (4) function;
   (5) applicable product category or categories;
   (6) VOC content;
   (7) LVP content;
   (8) date codes; or
   (9) recommended product usage directions.

(e) If the VOC limits specified in section 3(a) of this rule are lowered for a product category through any subsequent
    rulemaking, all ACP agreements granted for products in the product category shall have no force and effect as of the effective date
of the modified VOC standard. This subsection shall not apply to those ACP agreements that have VOC emissions less than the applicable lowered VOC limit and for which a written notification of the product's emissions status versus the lowered VOC limit has been submitted to and approved by the department at least sixty (60) days before the effective dates of the limits.

(f) The responsible ACP party shall notify the department, in writing, upon learning that a requirement of subsection (c) is no longer satisfied.

(g) If the ACP agreement does not meet the requirements of subsection (c), the department may revoke the exemption as necessary. (Air Pollution Control Division; 326 IAC 8-15-6; filed Nov 1, 2010, 12:38 p.m.: 20101201-IR-326070351FRA)

326 IAC 8-15-7 Administrative requirements

Sec. 7. (a) Each manufacturer of a consumer product subject to this rule shall clearly display on each consumer product container or package, the day, month, and year that the product was manufactured, or a code indicating the date according to the following requirements:

1. A manufacturer who uses the following code to indicate the date of manufacture shall not be subject to the requirements of subsection (b) if the code is represented separately from other codes on the product container so that it is easily recognizable:

   YY DDD = year year day day day

   Where: YY = two (2) digits representing the year in which the product was manufactured; and
   DDD = three (3) digits representing the day of the year on which the product was manufactured, with 001 representing the first day of the year, 002 representing the second day of the year, and so forth, that is, the Julian date.

2. The date or code shall be displayed on each consumer product container or package not later than June 1, 2011.

3. The date or code information shall be located on the container or inside the cover or cap so that it is readily observable or obtainable without irreversibly disassembling any part of the container or packaging. For the purpose of this subdivision, information may be displayed on the bottom of a container as long as it is clearly legible without removing any product packaging.

4. The requirements of this subsection shall not apply to product containing no VOCs or containing VOCs at one-tenth percent (0.10%) by weight or less.

(b) Additional product dating requirements are as follows:

1. If a manufacturer uses a code indicating the date of manufacture, for any consumer product subject to this rule, an explanation of the date portion of the code shall be filed with the department no later than June 1, 2011.

2. If a manufacturer changes any code indicating the date of manufacture for any product subject to subdivision (1), an explanation of the modified code shall be submitted to the department before any products displaying the modified code are sold, supplied, or offered for sale in Indiana.

3. No person shall:
   (A) erase;
   (B) alter;
   (C) deface;
   (D) otherwise remove; or
   (E) make illegible;
   any date or code indicating the date of manufacture from any regulated product container without the express authorization of the manufacturer.

4. Date code explanations for codes indicating the date of manufacture:
   (A) are public information; and
   (B) may not be claimed as confidential.

(c) Additional labeling requirements for aerosol adhesives, adhesive removers, electronic cleaner, electrical cleaner, energized electrical cleaner, and contact adhesives are as follows:
(1) In addition to the requirements specified in this section and section 7 of this rule, both the manufacturer and responsible party for each aerosol adhesive, adhesive remover, electronic cleaner, electrical cleaner, energized electrical cleaner, and contact adhesive product subject to this rule shall ensure that all products clearly display the following information on each product container that is manufactured on or after June 1, 2011:
   (A) The product category as specified in section 3(a) of this rule or an abbreviation of the category.
   (B) The applicable VOC standard for the product as specified in section 3(a) of this rule, except for energized electrical cleaner, expressed as a percentage by weight, unless the product is included in an ACP approved by the department in accordance with section 5 of this rule, and the product exceeds the applicable VOC content limit.
   (C) If the product is included in an approved ACP and the product exceeds the applicable VOC content limits in section 3(a) of this rule, the product shall be labeled with the term "ACP" or "ACP product".
   (D) If the product is classified as a special purpose spray adhesive, the applicable substrate or application, or both, or an abbreviation of the substrate or application that qualifies the product as special purpose.
   (E) If the manufacturer or responsible party uses an abbreviation as allowed by clause (D), an explanation of the abbreviation must be filed with the department before the abbreviation is used.

(2) The information required by subsection (a) shall be displayed on the product container such that it is readily observable without removing or disassembling any portion of the product container or packaging. For the purposes of this rule, information may be displayed on the bottom of a container as long as it is clearly legible without removing any product packaging.

(3) No person shall:
   (A) remove;
   (B) alter;
   (C) conceal; or
   (D) deface;
the information required in subdivision (1) prior to final sale of the product.

(d) The following most restrictive limits apply:

(1) For products manufactured before June 1, 2011, and FIFRA registered insecticides manufactured before June 1, 2012, the following apply:
   (A) Notwithstanding the definition of product category, as defined in section 2 of this rule, if anywhere on the principal display panel of any consumer product any representation is made that the product may be used as, or is suitable for use as, a consumer product for which a lower VOC content limit is specified in section 3(a) of this rule, then the lowest VOC limit shall apply.
   (B) This requirement does not apply to general purpose cleaners, antiperspirant or deodorant products, and insecticide foggers.

(2) For products manufactured on or after June 1, 2011, and FIFRA registered insecticides manufactured on or after June 1, 2012, the following apply:
   (A) Notwithstanding the definition of product category, as defined in section 2 of this rule, if anywhere on the container or packaging of any consumer product, or on any sticker or label affixed thereto, any representation is made that the product may be used as, or is suitable for use as, a consumer product for which a lower VOC content limit is specified in section 3(a) of this rule, then the lowest VOC limit shall apply.
   (B) This requirement does not apply to general purpose cleaners, antiperspirant or deodorant products, and insecticide foggers.

(Air Pollution Control Division; 326 IAC 8-15-7; filed Nov 1, 2010, 12:38 p.m.: 20101201-IR-326070351FRA)

326 IAC 8-15-8 Record keeping and reporting requirements

Authority: IC 13-14-8; IC 13-17-3-4
AFFECTED: IC 13-17

Sec. 8. (a) The department may require any responsible party to report information, within ninety (90) days written notice, for any consumer product or products the department may specify, including, but not limited to, all or part of the following
information:
(1) The name, address, and telephone number of the responsible party and the name and telephone number of the responsible party's designated contact person.
(2) Any claim of confidentiality made under 326 IAC 17.1.
(3) The product brand name for each consumer product and the product label.
(4) The product category to which the consumer product belongs.
(5) The applicable product form or forms listed separately.
(6) An identification of each product brand name and form as a "Household Product" or "I & I Product", or both.
(7) Separate Indiana sales in pounds per year, to the nearest pound, and the method used to calculate Indiana sales for each product form.
(8) For information submitted by multiple companies, an identification of each company that is submitting relevant data, separate from that submitted by the responsible party. All information from all companies shall be submitted within ninety (90) days written notice from the department.
(9) For each product brand name and form, the net percent by weight of the total product, less container and packaging, comprised of the following, rounded to the nearest one-tenth percent (0.1%):
   (A) Total of Table B compounds.
   (B) Total of LVP-VOCs that are not fragrances.
   (C) Total of all other carbon containing compounds that are not fragrances.
   (D) Total of all noncarbon containing compounds.
   (E) Total of fragrance.
   (F) For products containing greater than two percent (2%), by weight, fragrance:
      (i) the percent of fragrance that is LVP-VOCs; and
      (ii) the percent of fragrance that is all other carbon containing compounds.
   (G) Total of para-dichlorobenzene.
(10) For each product brand name and form, the identity, including the specific chemical name and associated Chemical Abstract Services (CAS) number, of the following:
   (A) Each Table B compound.
   (B) Each LVP-VOC that is not a fragrance.
(11) If applicable, the weight percent comprised of propellant for each product.
(12) If applicable, an identification of the type of propellant (Type A, Type B, Type C, or a blend of the different types).
   (b) If the responsible party does not have or does not provide the information requested, the department may require the reporting of this information by the person that has the information, including, but not limited to, any of, the following:
   (1) The formulator.
   (2) The manufacturer.
   (3) The supplier.
   (4) The parent company.
   (5) The private labeler.
   (6) The distributor.
   (7) The repackager.
   (c) The following special reporting requirements apply to consumer products subject to this rule that contain perchloroethylene or methylene chloride:
   (1) For each consumer product that contains perchloroethylene or methylene chloride, the responsible party shall report the following information for products sold in Indiana upon request of the department within ninety (90) days written notice:
      (A) The product brand name and a copy of the product label with legible usage instructions.
      (B) The product category to which the consumer product belongs.
      (C) The applicable product form or forms (listed separately).
      (D) For each product form listed, the total sales in Indiana during the calendar year, to the nearest pound (exclusive of the container and packaging), and the method used for calculating the Indiana sales.
      (E) The weight percent, to the nearest one-tenth percent (0.10%), of perchloroethylene and methylene chloride in the
VOLATILE ORGANIC COMPOUND RULES

consumer product.
(2) For purposes of this subsection, "contains perchloroethylene or methylene chloride" means the product contains one percent (1.0%) or more by weight (exclusive of the container or packaging) of either perchloroethylene or methylene chloride.

(d) Persons subject to this rule shall do the following:
(1) Maintain all records for a minimum of three (3) years.
(2) Make records available to the department and U.S. EPA upon request.

(e) Any person supplying information under this rule may request that the information be kept confidential as trade secret information, and the department will evaluate the claim in accordance with 326 IAC 17.1. (Air Pollution Control Division; 326 IAC 8-15-8; filed Nov 1, 2010, 12:38 p.m.: 20101201-IR-326070351FRA)

326 IAC 8-15-9 Test methods
Authority: IC 13-14-8; IC 13-17-3-4
Affected: IC 13-17

Sec. 9. (a) Testing to determine compliance with the VOC content limits specified in section 3(a) of this rule shall be performed by either the manufacturer or responsible party using either of the following:
(1) CARB Method 310*, "Determination of Volatile Organic Compounds in Consumer Products".
(2) An alternative method that is shown to accurately determine the concentration of VOCs in a product. The alternative method must first be approved in writing by the department and U.S. EPA.

(b) Compliance with the VOC content limits specified in section 3(a) of this rule may be demonstrated through calculation of the VOC content of a consumer product from records of the amounts of constituents used to make the product (excluding packaging), under the following criteria:
(1) Compliance determinations based on these records may not be used unless the manufacturer of a consumer product keeps accurate records for each day of production of the amount and chemical composition of the individual product constituents.

A manufacturer or responsible party subject to this rule shall do the following:
(A) Maintain all records for a minimum of three (3) years.
(B) Make records available to the department and U.S. EPA upon request.

(2) For purposes of this section, the VOC content of a product shall be calculated according to the following equation:

\[ \text{VOC Content} = \frac{B - C \times 100}{A} \]

Where:
A = Total net weight of a unit of product (excluding any packaging).
B = Total weight of all VOCs, per unit.
C = Total weight of VOCs exempted, per unit.

(3) If product records appear to demonstrate compliance with the VOC limits, but these records are contradicted by product testing performed using CARB Method 310*, the results of CARB Method 310*:
(A) shall take precedence over the product records; and
(B) may be used to establish a violation of the requirements of the VOC content limits in section 3(a) of this rule.

(c) Testing to determine whether a product is a liquid or a solid shall be performed using ASTM D4359-90(2000)e1 "Standard Test Method for Determining Whether a Material Is a Liquid or a Solid"*.
(d) Testing to determine distillation points of petroleum distillate based charcoal lighter materials shall be performed using ASTM D86-04b "Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure"*.
(e) No person shall create, alter, falsify, or otherwise modify records in such a way that the records do not accurately reflect:
(1) the constituents used to manufacture a product;
(2) the chemical composition of the individual product; and
(3) any other test, processes, or records used in connection with product manufacture.

*These documents are incorporated by reference. Copies are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Indiana Government Center North, Tenth Floor, 100 North Senate Avenue, Indianapolis, Indiana 46204. (Air Pollution Control Division; 326 IAC 8-15-9; filed Nov 1, 2010, 12:38 p.m.: 20101201-IR-
Attachment B

Federally Enforceable State Operating Permit (FESOP) No: F039-41619-00050

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Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

SOURCE: 73 FR 3591, Jan. 18, 2008, unless otherwise noted.

What This Subpart Covers

§60.4230 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (6) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary SI ICE with a maximum engine power less than or equal to 19 kilowatt (KW) (25 horsepower (HP)) that are manufactured on or after July 1, 2008.

(2) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline fueled or that are rich burn engines fueled by liquefied petroleum gas (LPG), where the date of manufacture is:

   (i) On or after July 1, 2008; or

   (ii) On or after January 1, 2009, for emergency engines.

(3) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are not gasoline fueled and are not rich burn engines fueled by LPG, where the manufacturer participates in the voluntary manufacturer certification program described in this subpart and where the date of manufacture is:

   (i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

   (ii) On or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

   (iii) On or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

   (iv) On or after January 1, 2009, for emergency engines.

(4) Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:

   (i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);
(ii) on or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

(iii) on or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

(iv) on or after January 1, 2009, for emergency engines with a maximum engine power greater than 19 KW (25 HP).

(5) Owners and operators of stationary SI ICE that are modified or reconstructed after June 12, 2006, and any person that modifies or reconstructs any stationary SI ICE after June 12, 2006.

(6) The provisions of §60.4236 of this subpart are applicable to all owners and operators of stationary SI ICE that commence construction after June 12, 2006.

(b) The provisions of this subpart are not applicable to stationary SI ICE being tested at an engine test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

(d) For the purposes of this subpart, stationary SI ICE using alcohol-based fuels are considered gasoline engines.

(e) Stationary SI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR parts 90 and 1048, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

(f) Owners and operators of facilities with internal combustion engines that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37972, June 28, 2011]

Emission Standards for Manufacturers

§60.4231 What emission standards must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing such engines?

(a) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008 to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as follows:

<table>
<thead>
<tr>
<th>If engine displacement is * * * and manufacturing dates are * * *</th>
<th>the engine must meet emission standards and related requirements for nonhandheld engines under * * *</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) below 225 cc and July 1, 2008 to December 31, 2011</td>
<td>40 CFR part 90.</td>
</tr>
<tr>
<td>(2) below 225 cc and January 1, 2012 or later</td>
<td>40 CFR part 1054.</td>
</tr>
<tr>
<td>(3) at or above 225 cc and July 1, 2008 to December 31, 2010</td>
<td>40 CFR part 90.</td>
</tr>
<tr>
<td>(4) at or above 225 cc and January 1, 2011 or later</td>
<td>40 CFR part 1054.</td>
</tr>
</tbody>
</table>
(b) Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that use gasoline and that are manufactured on or after the applicable date in §60.4230(a)(2), or manufactured on or after the applicable date in §60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE with a maximum engine power greater than 25 HP and less than 130 HP that use gasoline and that are manufactured on or after the applicable date in §60.4230(a)(4) to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cubic centimeters (cc) that use gasoline to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.

Stationary SI internal combustion engine manufacturers must certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) (except emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that are rich burn engines that use LPG and that are manufactured on or after the applicable date in §60.4230(a)(2), or manufactured on or after the applicable date in §60.4230(a)(4) for emergency stationary ICE with a maximum engine power greater than or equal to 130 HP, to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers must certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP that are rich burn engines that use LPG and that are manufactured on or after the applicable date in §60.4230(a)(4) to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc that are rich burn engines that use LPG to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.

Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) under the voluntary manufacturer certification program described in this subpart must certify those engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers who choose to certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that are rich burn engines that use LPG and that are manufactured on or after the applicable date in §60.4230(a)(4) to the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 90. Stationary SI internal combustion engine manufacturers may certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc that are rich burn engines that use LPG to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 1054, as appropriate.

Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) under the voluntary manufacturer certification program described in this subpart must certify those engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. Stationary SI internal combustion engine manufacturers who choose to certify their emergency stationary SI ICE greater than 25 HP and less than 130 HP (except gasoline and rich burn engines that use LPG and emergency stationary ICE with a maximum engine power greater than 25 HP and less than 130 HP) that are rich burn engines that use LPG to the certification emission standards for new nonroad SI engines in 40 CFR part 1048. For stationary SI ICE with a maximum engine power greater than or equal to 100 HP (75 KW) and less than 500 HP (373 KW) manufactured prior to January 1, 2011, and for stationary SI ICE with a maximum engine power greater than or equal to 500 HP (373 KW) manufactured prior to July 1, 2010, manufacturers may choose to certify these engines to the certification emission standards for new nonroad SI engines in 40 CFR part 1048 applicable to engines that are not severe duty engines.

Stationary SI internal combustion engine manufacturers who choose to certify their stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) under the voluntary manufacturer certification program described in this subpart must certify those engines to the certification emission standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP.

(f) Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, to the extent they apply to equipment manufacturers.
(g) Notwithstanding the requirements in paragraphs (a) through (c) of this section, stationary SI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (e) of this section that are applicable to the model year, maximum engine power and displacement of the reconstructed stationary SI ICE.


§60.4232 How long must my engines meet the emission standards if I am a manufacturer of stationary SI internal combustion engines?

Engines manufactured by stationary SI internal combustion engine manufacturers must meet the emission standards as required in §60.4231 during the certified emissions life of the engines.

Emission Standards for Owners and Operators

§60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?

(a) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) manufactured on or after July 1, 2008, must comply with the emission standards in §60.4231(a) for their stationary SI ICE.

(b) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in §60.4230(a)(4) that use gasoline must comply with the emission standards in §60.4231(b) for their stationary SI ICE.

(c) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) manufactured on or after the applicable date in §60.4230(a)(4) that are rich burn engines that use LPG must comply with the emission standards in §60.4231(c) for their stationary SI ICE.

(d) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards for field testing in 40 CFR 1048.101(c) for their non-emergency stationary SI ICE and with the emission standards in Table 1 to this subpart for their emergency stationary SI ICE. Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) and less than 75 KW (100 HP) manufactured prior to January 1, 2011, that were certified to the standards in Table 1 to this subpart applicable to engines with a maximum engine power greater than or equal to 100 HP and less than 500 HP, may optionally choose to meet those standards.

(e) Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP (except gasoline and rich burn engines that use LPG) manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in Table 1 to this subpart, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.

(f) Owners and operators of any modified or reconstructed stationary SI ICE subject to this subpart must meet the requirements as specified in paragraphs (f)(1) through (5) of this section.

(1) Owners and operators of stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with emission standards in §60.4231(a) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in §60.4231(a) applicable to engines manufactured on July 1, 2008.
(2) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline engines and are modified or reconstructed after June 12, 2006, must comply with the emission standards in §60.4231(b) for their stationary SI ICE. Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in §60.4231(b) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).

(3) Owners and operators of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are rich burn engines that use LPG, that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in §60.4231(c). Engines with a date of manufacture prior to July 1, 2008 (or January 1, 2009 for emergency engines) must comply with the emission standards specified in §60.4231(c) applicable to engines manufactured on July 1, 2008 (or January 1, 2009 for emergency engines).

(4) Owners and operators of stationary SI natural gas and lean burn LPG engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (d) or (e) of this section, except that such owners and operators of non-emergency engines and emergency engines greater than or equal to 130 HP must meet a nitrogen oxides (NOx) emission standard of 3.0 grams per HP-hour (g/HP-hr), a CO emission standard of 4.0 g/HP-hr (5.0 g/HP-hr for non-emergency engines less than 100 HP), and a volatile organic compounds (VOC) emission standard of 1.0 g/HP-hr, or a NOx emission standard of 250 ppmvd at 15 percent oxygen (O2), a CO emission standard 540 ppmvd at 15 percent O2 (675 ppmvd at 15 percent O2 for non-emergency engines less than 100 HP), and a VOC emission standard of 86 ppmvd at 15 percent O2, where the date of manufacture of the engine is:

(i) Prior to July 1, 2007, for non-emergency engines with a maximum engine power greater than or equal to 500 HP (except lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) Prior to July 1, 2008, for non-emergency engines with a maximum engine power less than 500 HP;

(iii) Prior to January 1, 2009, for emergency engines;

(iv) Prior to January 1, 2008, for non-emergency lean burn natural gas engines and LPG engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP.

(5) Owners and operators of stationary SI landfill/digester gas ICE engines with a maximum engine power greater than 19 KW (25 HP), that are modified or reconstructed after June 12, 2006, must comply with the same emission standards as those specified in paragraph (e) of this section for stationary landfill/digester gas engines. Engines with maximum engine power less than 500 HP and a date of manufacture prior to July 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power greater than or equal to 500 HP manufactured on July 1, 2008. Engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) and a date of manufacture prior to July 1, 2007 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE with a maximum engine power greater than or equal to 500 HP (except lean burn engines greater than or equal to 500 HP and less than 1,350 HP) manufactured on July 1, 2007. Lean burn engines greater than or equal to 500 HP and less than 1,350 HP with a date of manufacture prior to January 1, 2008 must comply with the emission standards specified in paragraph (e) of this section for stationary landfill/digester gas ICE that are lean burn engines greater than or equal to 500 HP and less than 1,350 HP and manufactured on January 1, 2008.

(g) Owners and operators of stationary SI wellhead gas ICE engines may petition the Administrator for approval on a case-by-case basis to meet emission standards no less stringent than the emission standards that apply to stationary emergency SI engines greater than 25 HP and less than 130 HP due to the presence of high sulfur levels in the fuel, as specified in Table 1 to this subpart. The request must, at a minimum, demonstrate that the fuel has high sulfur levels that prevent the use of aftertreatment controls and also that the owner has reasonably made all attempts possible to obtain an engine that will meet the standards without the use of aftertreatment controls. The petition must request the most stringent standards reasonably applicable to the engine using the fuel.

(h) Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section.
§60.4234 How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

Other Requirements for Owners and Operators

§60.4235 What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?

Owners and operators of stationary SI ICE subject to this subpart that use gasoline must use gasoline that meets the per gallon sulfur limit in 40 CFR 80.195.

§60.4236 What is the deadline for importing or installing stationary SI ICE produced in previous model years?

(a) After July 1, 2010, owners and operators may not install stationary SI ICE with a maximum engine power of less than 500 HP that do not meet the applicable requirements in §60.4233.

(b) After July 1, 2009, owners and operators may not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in §60.4233, except that lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP that do not meet the applicable requirements in §60.4233 may not be installed after January 1, 2010.

(c) For emergency stationary SI ICE with a maximum engine power of greater than 19 KW (25 HP), owners and operators may not install engines that do not meet the applicable requirements in §60.4233 after January 1, 2011.

(d) In addition to the requirements specified in §§60.4231 and 60.4233, it is prohibited to import stationary SI ICE less than or equal to 19 KW (25 HP), stationary rich burn LPG SI ICE, and stationary gasoline SI ICE that do not meet the applicable requirements specified in paragraphs (a), (b), and (c) of this section, after the date specified in paragraph (a), (b), and (c) of this section.

(e) The requirements of this section do not apply to owners and operators of stationary SI ICE that have been modified or reconstructed, and they do not apply to engines that were removed from one existing location and reinstall at a new location.

§60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?

(a) Starting on July 1, 2010, if the emergency stationary SI internal combustion engine that is greater than or equal to 500 HP that was built on or after July 1, 2010, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(b) Starting on January 1, 2011, if the emergency stationary SI internal combustion engine that is greater than or equal to 130 HP and less than 500 HP that was built on or after January 1, 2011, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(c) If you are an owner or operator of an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter upon startup of your emergency engine.
Compliance Requirements for Manufacturers

§60.4238 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines ≤19 KW (25 HP) or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(a) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[73 FR 59176, Oct. 8, 2008]

§60.4239 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that use gasoline or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(b) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Manufacturers of stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[73 FR 59176, Oct. 8, 2008]

§60.4240 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines >19 KW (25 HP) that are rich burn engines that use LPG or a manufacturer of equipment containing such engines?

Stationary SI internal combustion engine manufacturers who are subject to the emission standards specified in §60.4231(c) must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must test their engines as specified in that part. Manufactures of stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of stationary SI emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase 1 emission standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

[73 FR 59176, Oct. 8, 2008]

§60.4241 What are my compliance requirements if I am a manufacturer of stationary SI internal combustion engines participating in the voluntary certification program or a manufacturer of equipment containing such engines?

(a) Manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to certify their engines to the emission standards in §60.4231(d) or (e), as applicable, under the voluntary certification program described in this
Manufacturers who certify their engines under the voluntary certification program must meet the requirements as specified in paragraphs (b) through (g) of this section. In addition, manufacturers of stationary SI internal combustion engines who choose to certify their engines under the voluntary certification program, must also meet the requirements as specified in §60.4247.

(b) Manufacturers of engines other than those certified to standards in 40 CFR part 90 or 40 CFR part 1054 must certify their stationary SI ICE using the certification procedures required in 40 CFR part 1048, subpart C, and must follow the same test procedures that apply to large SI nonroad engines under 40 CFR part 1048, but must use the D-1 cycle of International Organization of Standardization 8178-4: 1996(E) (incorporated by reference, see 40 CFR 60.17) or the test cycle requirements specified in Table 3 to 40 CFR 1048.505, except that Table 3 of 40 CFR 1048.505 applies to high load engines only. Stationary SI internal combustion engine manufacturers who certify their stationary SI ICE with a maximum engine power less than or equal to 30 KW (40 HP) with a total displacement less than or equal to 1,000 cc to the certification emission standards and other requirements for new nonroad SI engines in 40 CFR part 90 or 40 CFR part 1054, and manufacturers of emergency engines that are greater than 25 HP and less than 130 HP who meet the Phase I standards in 40 CFR 90.103, applicable to class II engines, must certify their stationary SI ICE using the certification procedures required in 40 CFR part 90, subpart B, or 40 CFR part 1054, subpart C, as applicable, and must test their engines as specified in those parts. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, subpart C, to the extent they apply to equipment manufacturers.

(c) Certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, is voluntary, but manufacturers who decide to certify are subject to all of the requirements indicated in this subpart with regard to the engines included in their certification. Manufacturers must clearly label their stationary SI engines as certified or non-certified engines.

(d) Manufacturers of natural gas fired stationary SI ICE who conduct voluntary certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the definition of pipeline-quality natural gas. The fuel used for certifying stationary SI natural gas engines must meet the definition of pipeline-quality natural gas as described in §60.4248. In addition, the manufacturer must provide information to the owner and operator of the certified stationary SI engine including the specifications of the pipeline-quality natural gas to which the engine is certified and what adjustments the owner or operator must make to the engine when installed in the field to ensure compliance with the emission standards.

(e) Manufacturers of stationary SI ICE that are lean burn engines fueled by LPG who conduct voluntary certification of stationary SI ICE to the emission standards specified in §60.4231(d) or (e), as applicable, must certify their engines for operation using fuel that meets the specifications in 40 CFR 1065.720.

(f) Manufacturers may certify their engines for operation using gaseous fuels in addition to pipeline-quality natural gas; however, the manufacturer must specify the properties of that fuel and provide testing information showing that the engine will meet the emission standards specified in §60.4231(d) or (e), as applicable, when operating on that fuel. The manufacturer must also provide instructions for configuring the stationary engine to meet the emission standards on fuels that do not meet the pipeline-quality natural gas definition. The manufacturer must also provide information to the owner and operator of the certified stationary SI engine regarding the configuration that is most conducive to reduced emissions where the engine will be operated on gaseous fuels with different quality than the fuel that it was certified to.

(g) A stationary SI engine manufacturer may certify an engine family solely to the standards applicable to landfill/digester gas engines as specified in §60.4231(d) or (e), as applicable, but must certify their engines for operation using landfill/digester gas and must add a permanent label stating that the engine is for use only in landfill/digester gas applications. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).

(h) For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

(i) For engines being certified to the voluntary certification standards in Table 1 of this subpart, the VOC measurement shall be made by following the procedures in 40 CFR 1065.260 and 1065.265 in order to determine the total NMHC emissions by using a flame-ionization detector and non-methane cutter. As an alternative to the
nonmethane cutter, manufacturers may use a gas chromatograph as allowed under 40 CFR 1065.267 and may measure ethane, as well as methane, for excluding such levels from the total VOC measurement.


§60.4242 What other requirements must I meet if I am a manufacturer of stationary SI internal combustion engines or equipment containing stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

(a) Stationary SI internal combustion engine manufacturers must meet the provisions of 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054, as applicable, as well as 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1048 or 1054, except that engines certified pursuant to the voluntary certification procedures in §60.4241 are subject only to the provisions indicated in §60.4247 and are permitted to provide instructions to owners and operators allowing for deviations from certified configurations, if such deviations are consistent with the provisions of paragraphs §60.4241(c) through (f). Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060, as applicable. Labels on engines certified to 40 CFR part 1048 must refer to stationary engines, rather than or in addition to nonroad engines, as appropriate.

(b) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054 for that model year may certify any such family that contains both nonroad and stationary engines as a single engine family and/or may include any such family containing stationary engines in the averaging, banking and trading provisions applicable for such engines under those parts. This provision also applies to equipment or component manufacturers certifying to standards under 40 CFR part 1060.

(c) Manufacturers of engine families certified to 40 CFR part 1048 may meet the labeling requirements referred to in paragraph (a) of this section for stationary SI ICE by either adding a separate label containing the information required in paragraph (a) of this section or by adding the words “and stationary” after the word “nonroad” to the label.

(d) For all engines manufactured on or after January 1, 2011, and for all engines with a maximum engine power greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, a stationary SI engine manufacturer that certifies an engine family solely to the standards applicable to emergency engines must add a permanent label stating that the engines in that family are for emergency use only. The label must be added according to the labeling requirements specified in 40 CFR 1048.135(b).

(e) All stationary SI engines subject to mandatory certification that do not meet the requirements of this subpart must be labeled according to 40 CFR 1068.230 and must be exported under the provisions of 40 CFR 1068.230. Stationary SI engines subject to standards in 40 CFR part 90 may use the provisions in 40 CFR 90.909. Manufacturers of stationary engines with a maximum engine power greater than 25 HP that are not certified to standards and other requirements under 40 CFR part 1048 are subject to the labeling provisions of 40 CFR 1048.20 pertaining to excluded stationary engines.

(f) For manufacturers of gaseous-fueled stationary engines required to meet the warranty provisions in 40 CFR 90.1103 or 1054.120, we may establish an hour-based warranty period equal to at least the certified emissions life of the engines (in engine operating hours) if we determine that these engines are likely to operate for a number of hours greater than the applicable useful life within 24 months. We will not approve an alternate warranty under this paragraph (f) for nonroad engines. An alternate warranty period approved under this paragraph (f) will be the specified number of engine operating hours or two years, whichever comes first. The engine manufacturer shall request this alternate warranty period in its application for certification or in an earlier submission. We may approve an alternate warranty period for an engine family subject to the following conditions:

(1) The engines must be equipped with non-resettable hour meters.

(2) The engines must be designed to operate for a number of hours substantially greater than the applicable certified emissions life.
(3) The emission-related warranty for the engines may not be shorter than any published warranty offered by the manufacturer without charge for the engines. Similarly, the emission-related warranty for any component shall not be shorter than any published warranty offered by the manufacturer without charge for that component.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008]

Compliance Requirements for Owners and Operators

§60.4243 What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?

(a) If you are an owner or operator of a stationary SI internal combustion engine that is manufactured after July 1, 2008, and must comply with the emission standards specified in §60.4233(a) through (c), you must comply by purchasing an engine certified to the emission standards in §60.4231(a) through (c), as applicable, for the same engine class and maximum engine power. In addition, you must meet one of the requirements specified in (a)(1) and (2) of this section.

(1) If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator. You must also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to you. If you adjust engine settings according to and consistent with the manufacturer's instructions, your stationary SI internal combustion engine will not be considered out of compliance.

(2) If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be considered a non-certified engine, and you must demonstrate compliance according to (a)(2)(i) through (iii) of this section, as appropriate.

(i) If you are an owner or operator of a stationary SI internal combustion engine less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup to demonstrate compliance.

(iii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test within 1 year of engine startup and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.

(1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.

(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in §60.4233(d) or (e) and according to the requirements specified in §60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.

(i) If you are an owner or operator of a stationary SI internal combustion engine greater than 25 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent
practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance.

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(c) If you are an owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in §60.4233(f), you must demonstrate compliance according paragraph (b)(2)(i) or (ii) of this section, except that if you comply according to paragraph (b)(2)(i) of this section, you demonstrate that your non-certified engine complies with the emission standards specified in §60.4233(f).

(d) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (d)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (d)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (d)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) You may operate your emergency stationary ICE for any combination of the purposes specified in paragraphs (d)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (d)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (d)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(ii) Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (d)(2) of this section. Except as provided in paragraph (d)(3)(i) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;
(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(ii) [Reserved]

(e) Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of §60.4233.

(f) If you are an owner or operator of a stationary SI internal combustion engine that is less than or equal to 500 HP and you purchase a non-certified engine or you do not operate and maintain your certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, you are required to perform initial performance testing as indicated in this section, but you are not required to conduct subsequent performance testing unless the stationary engine is rebuilt or undergoes major repair or maintenance. A rebuilt stationary SI ICE means an engine that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(g) It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

(h) If you are an owner/operator of a stationary SI internal combustion engine with maximum engine power greater than or equal to 500 HP that is manufactured after July 1, 2007 and before July 1, 2008, and must comply with the emission standards specified in sections 60.4233(b) or (c), you must comply by one of the methods specified in paragraphs (h)(1) through (h)(4) of this section.

(1) Purchasing an engine certified according to 40 CFR part 1048. The engine must be installed and configured according to the manufacturer's specifications.

(2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.

(3) Keeping records of engine manufacturer data indicating compliance with the standards.

(4) Keeping records of control device vendor data indicating compliance with the standards.

(i) If you are an owner or operator of a modified or reconstructed stationary SI internal combustion engine and must comply with the emission standards specified in §60.4233(f), you must demonstrate compliance according to one of the methods specified in paragraphs (i)(1) or (2) of this section.

(1) Purchasing, or otherwise owning or operating, an engine certified to the emission standards in §60.4233(f), as applicable.
(2) Conducting a performance test to demonstrate initial compliance with the emission standards according to the requirements specified in §60.4244. The test must be conducted within 60 days after the engine commences operation after the modification or reconstruction.


Testing Requirements for Owners and Operators

§60.4244 What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in §60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(c) You must conduct three separate test runs for each performance test required in this section, as specified in §60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(d) To determine compliance with the NOx mass per unit output emission limitation, convert the concentration of NOx in the engine exhaust using Equation 1 of this section:

\[
ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{\text{HP-hr}} \quad (\text{Eq. 1})
\]

Where:

ER = Emission rate of NOx in g/HP-hr.

\(C_d\) = Measured NOx concentration in parts per million by volume (ppmv).

\(1.912 \times 10^{-3}\) = Conversion constant for ppm NOx to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:
Where:

\[ ER = \frac{C_d \times 1.164 \times 10^{-3} \times Q \times T}{\text{HP-hr}} \]  
(Eq. 2)

ER = Emission rate of CO in g/HP-hr.

\( C_d \) = Measured CO concentration in ppmv.

1.164 \times 10^{-3} = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

\[ ER = \frac{C_d \times 1.833 \times 10^{-3} \times Q \times T}{\text{HP-hr}} \]  
(Eq. 3)

Where:

ER = Emission rate of VOC in g/HP-hr.

\( C_d \) = VOC concentration measured as propane in ppmv.

1.833 \times 10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

\[
RF_i = \frac{C_{Mi}}{C_{Ai}} \quad \text{(Eq. 4)}
\]
Where:

RF<sub>i</sub> = Response factor of compound i when measured with EPA Method 25A.

CM<sub>i</sub> = Measured concentration of compound i in ppmv as carbon.

CA<sub>i</sub> = True concentration of compound i in ppmv as carbon.

\[ C_{i,\text{corr}} = RF_i \times C_{i,\text{meas}} \quad \text{(Eq. 5)} \]

Where:

C<sub>i,corr</sub> = Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

C<sub>i,meas</sub> = Concentration of compound i measured by EPA Method 320, ppmv as carbon.

\[ C_{P_{eq}} = 0.6098 \times C_{i,corr} \quad \text{(Eq. 6)} \]

Where:

C<sub>P_{eq}</sub> = Concentration of compound i in mg of propane equivalent per DSCM.

**Notification, Reports, and Records for Owners and Operators**

§60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

(a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

(b) For all stationary SI emergency ICE greater than or equal to 500 HP manufactured on or after July 1, 2010, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, that do not meet the
standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

(c) Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in §60.4231 must submit an initial notification as required in §60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section.

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348-03 (incorporated by reference—see 40 CFR 60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and 11.1.1.4; for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348-03 report results of all QA/QC procedures in Annexes 1-7.

(e) If you own or operate an emergency stationary SI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §60.4243(d)(2)(ii) and (iii) or that operates for the purposes specified in §60.4243(d)(3)(i), you must submit an annual report according to the requirements in paragraphs (e)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

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

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v) Hours operated for the purposes specified in §60.4243(d)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in §60.4243(d)(2)(ii) and (iii).

(vi) Number of hours the engine is contractually obligated to be available for the purposes specified in §60.4243(d)(2)(ii) and (iii).

(vii) Hours spent for operation for the purposes specified in §60.4243(d)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in §60.4243(d)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA’s Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in §60.4.


General Provisions

§60.4246 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

MOBILE SOURCE PROVISIONS

§60.4247 What parts of the mobile source provisions apply to me if I am a manufacturer of stationary SI internal combustion engines or a manufacturer of equipment containing such engines?

(a) Manufacturers certifying to emission standards in 40 CFR part 90, including manufacturers certifying emergency engines below 130 HP, must meet the provisions of 40 CFR part 90. Manufacturers certifying to emission standards in 40 CFR part 1054 must meet the provisions of 40 CFR part 1054. Manufacturers of equipment containing stationary SI internal combustion engines meeting the provisions of 40 CFR part 1054 must meet the provisions of 40 CFR part 1060 to the extent they apply to equipment manufacturers.

(b) Manufacturers required to certify to emission standards in 40 CFR part 1048 must meet the provisions of 40 CFR part 1048. Manufacturers certifying to emission standards in 40 CFR part 1048 pursuant to the voluntary certification program must meet the requirements in Table 4 to this subpart as well as the standards in 40 CFR 1048.101.

(c) For manufacturers of stationary SI internal combustion engines participating in the voluntary certification program and certifying engines to Table 1 to this subpart, Table 4 to this subpart shows which parts of the mobile source provisions in 40 CFR parts 1048, 1065, and 1068 apply to you. Compliance with the deterioration factor provisions under 40 CFR 1048.205(n) and 1048.240 will be required for engines built new on and after January 1, 2010. Prior to January 1, 2010, manufacturers of stationary internal combustion engines participating in the voluntary certification program have the option to develop their own deterioration factors based on an engineering analysis.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008]

Definitions

§60.4248 What definitions apply to this subpart?

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

Certified emissions life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for certified emissions life for stationary SI ICE with a maximum engine power less than or equal to 19 KW (25 HP) are given in 40 CFR 90.105, 40 CFR 1054.107, and 40 CFR 1060.101, as appropriate. The values for certified emissions life for stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) certified to 40 CFR part 1048 are given in 40 CFR 1048.101(g). The certified emissions life for stationary SI ICE with a maximum engine power greater than 75 KW (100 HP) certified under the voluntary manufacturer certification program of this subpart is 5,000 hours or 7 years, whichever comes first. You may request in your application for certification that we approve a shorter certified emissions life for an engine family. We may approve a shorter certified emissions life, in hours of engine operation but not in years, if we determine that these engines will rarely operate longer than the shorter certified emissions life. If engines identical to those in the engine family have already been produced and are in use, your demonstration must include documentation from such in-use
engines. In other cases, your demonstration must include an engineering analysis of information equivalent to such in-use data, such as data from research engines or similar engine models that are already in production. Your demonstration must also include any overhaul interval that you recommend, any mechanical warranty that you offer for the engine or its components, and any relevant customer design specifications. Your demonstration may include any other relevant information. The certified emissions life value may not be shorter than any of the following:

(i) 1,000 hours of operation.

(ii) Your recommended overhaul interval.

(iii) Your mechanical warranty for the engine.

Certified stationary internal combustion engine means an engine that belongs to an engine family that has a certificate of conformity that complies with the emission standards and requirements in this part, or of 40 CFR part 90, 40 CFR part 1048, or 40 CFR part 1054, as appropriate.

Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Date of manufacture means one of the following things:

(1) For freshly manufactured engines and modified engines, date of manufacture means the date the engine is originally produced.

(2) For reconstructed engines, date of manufacture means the date the engine was originally produced, except as specified in paragraph (3) of this definition.

(3) Reconstructed engines are assigned a new date of manufacture if the fixed capital cost of the new and refurbished components exceeds 75 percent of the fixed capital cost of a comparable entirely new facility. An engine that is produced from a previously used engine block does not retain the date of manufacture of the engine in which the engine block was previously used if the engine is produced using all new components except for the engine block. In these cases, the date of manufacture is the date of reconstruction or the date the new engine is produced.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and carbon dioxide (CO$_2$).

Emergency stationary internal combustion engine means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in §60.4243(d) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in §60.4243(d), then it is not considered to be an emergency stationary ICE under this subpart.

(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.
(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in §60.4243(d).

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in §60.4243(d)(2)(ii) or (iii) and §60.4243(d)(3)(i).

*Engine manufacturer* means the manufacturer of the engine. See the definition of “manufacturer” in this section.

*Four-stroke engine* means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

*Freshly manufactured engine* means an engine that has not been placed into service. An engine becomes freshly manufactured when it is originally produced.

*Gasoline* means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

*Installed* means the engine is placed and secured at the location where it is intended to be operated.

*Landfill gas* means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

*Lean burn engine* means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

*Liquefied petroleum gas* means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining or natural gas production.

*Manufacturer* has the meaning given in section 216(1) of the Clean Air Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for resale.

*Maximum engine power* means maximum engine power as defined in 40 CFR 1048.801.

*Model year* means the calendar year in which an engine is manufactured (see “date of manufacture”), except as follows:

(1) Model year means the annual new model production period of the engine manufacturer in which an engine is manufactured (see “date of manufacture”), if the annual new model production period is different than the calendar year and includes January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year.

(2) For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was manufactured (see “date of manufacture”).

*Natural gas* means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

*Other internal combustion engine* means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

*Pipeline-quality natural gas* means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions, and which is provided by a supplier through a...
pipeline. Pipeline-quality natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units per standard cubic foot.

*Rich burn engine* means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to June 12, 2006, with passive emission control technology for NOX (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

*Rotary internal combustion engine* means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

*Spark ignition* means relating to either: a gasoline-fueled engine; or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

*Stationary internal combustion engine* means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

*Stationary internal combustion engine test cell/stand* means an engine test cell/stand, as defined in 40 CFR part 63, subpart PPPPP, that tests stationary ICE.

*Stoichiometric* means the theoretical air-to-fuel ratio required for complete combustion.

*Subpart* means 40 CFR part 60, subpart JJJJ.

*Two-stroke engine* means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

*Volatile organic compounds* means volatile organic compounds as defined in 40 CFR 51.100(s).

*Voluntary certification program* means an optional engine certification program that manufacturers of stationary SI internal combustion engines with a maximum engine power greater than 19 KW (25 HP) that do not use gasoline and are not rich burn engines that use LPG can choose to participate in to certify their engines to the emission standards in §60.4231(d) or (e), as applicable.

Table 1 to Subpart JJJJ of Part 60—NOx, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines ≥100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP

<table>
<thead>
<tr>
<th>Engine type and fuel</th>
<th>Maximum engine power</th>
<th>Manufacture date</th>
<th>Emission standards&lt;sup&gt;a&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>NOx</td>
</tr>
<tr>
<td>Non-Emergency SI Natural Gas&lt;sup&gt;b&lt;/sup&gt; and Non-Emergency SI Lean Burn LPG&lt;sup&gt;a&lt;/sup&gt;</td>
<td>100≤HP&lt;500</td>
<td>7/1/2008</td>
<td>2.0</td>
</tr>
<tr>
<td></td>
<td>1/1/2011</td>
<td></td>
<td>1.0</td>
</tr>
<tr>
<td>Non-Emergency SI Lean Burn Natural Gas and LPG</td>
<td>500≤HP&lt;1,350</td>
<td>1/1/2008</td>
<td>2.0</td>
</tr>
<tr>
<td></td>
<td>7/1/2010</td>
<td></td>
<td>1.0</td>
</tr>
<tr>
<td>Non-Emergency SI Natural Gas and Non-Emergency SI Lean Burn LPG (except lean burn 500≤HP&lt;1,350)</td>
<td>HP≥500</td>
<td>7/1/2007</td>
<td>2.0</td>
</tr>
<tr>
<td></td>
<td>HP≥500</td>
<td>7/1/2010</td>
<td>1.0</td>
</tr>
<tr>
<td>Landfill/Digester Gas (except lean burn 500≤HP&lt;1,350) (HP&lt;500)</td>
<td>7/1/2008</td>
<td></td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td>1/1/2011</td>
<td></td>
<td>2.0</td>
</tr>
<tr>
<td></td>
<td>HP≥500</td>
<td>7/1/2007</td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td>7/1/2010</td>
<td></td>
<td>2.0</td>
</tr>
<tr>
<td>Landfill/Digester Gas Lean Burn</td>
<td>500≤HP&lt;1,350</td>
<td>1/1/2008</td>
<td>3.0</td>
</tr>
<tr>
<td></td>
<td>7/1/2010</td>
<td></td>
<td>2.0</td>
</tr>
<tr>
<td>Emergency</td>
<td>25&lt;HP&lt;130</td>
<td>1/1/2009</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>HP≥130</td>
<td></td>
<td>2.0</td>
</tr>
</tbody>
</table>

<sup>a</sup>Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O<sub>2</sub>.

<sup>b</sup>Owners and operators of new or reconstructed non-emergency lean burn SI stationary engines with a site rating of greater than or equal to 250 brake HP located at a major source that are meeting the requirements of 40 CFR part 63, subpart ZZZZ, Table 2a do not have to comply with the CO emission standards of Table 1 of this subpart.

<sup>c</sup>The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of NO<sub>x</sub> + HC.

<sup>d</sup>For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

[76 FR 37975, June 28, 2011]
Table 2 to Subpart JJJJ of Part 60—Requirements for Performance Tests

[As stated in §60.4244, you must comply with the following requirements for performance tests within 10 percent of 100 percent peak (or the highest achievable) load]

<table>
<thead>
<tr>
<th>For each</th>
<th>Complying with the requirement to</th>
<th>You must</th>
<th>Using</th>
<th>According to the following requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Stationary SI internal combustion engine demonstrating compliance according to §60.4244</td>
<td>a. limit the concentration of NO\textsubscript{x} in the stationary SI internal combustion engine exhaust</td>
<td>i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary internal combustion engine;</td>
<td>(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring flow rate</td>
<td>(a) Alternatively, for NO\textsubscript{x}, O\textsubscript{2}, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (‘3-point long line’). If the duct is &gt;12 inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, Appendix A, the duct may be sampled at ‘3-point long line’; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, Appendix A.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. Determine the O\textsubscript{2} concentration of the stationary internal combustion engine exhaust at the sampling port location;</td>
<td>(2) Method 3, 3A, or 3B\textsuperscript{a} of 40 CFR part 60, appendix A-2 or ASTM Method D6522-00 (Reapproved 2005)\textsuperscript{ad}</td>
<td>(b) Measurements to determine O\textsubscript{2} concentration must be made at the same time as the measurements for NO\textsubscript{x} concentration.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. If necessary, determine the exhaust flow rate of the stationary internal combustion engine exhaust;</td>
<td>(3) Method 2 or 2C of 40 CFR part 60, appendix A-1 or Method 19 of 40 CFR part 60, appendix A-7</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and</td>
<td>(4) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A\textsuperscript{a}, or ASTM Method D6348-03\textsuperscript{de}</td>
<td>(c) Measurements to determine moisture must be made at the same time as the measurement for NO\textsubscript{x} concentration.</td>
</tr>
<tr>
<td>For each</td>
<td>Complying with the requirement to</td>
<td>You must</td>
<td>Using</td>
<td>According to the following requirements</td>
</tr>
<tr>
<td>----------</td>
<td>---------------------------------</td>
<td>----------</td>
<td>-------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>b. limit the concentration of CO in the stationary SI internal combustion engine exhaust</td>
<td>v. Measure NO\textsubscript{x} at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device</td>
<td>(5) Method 7E of 40 CFR part 60, appendix A-4, ASTM Method D6522-00 (Reapproved 2005)\textsuperscript{ad}, Method 320 of 40 CFR part 63, appendix A\textsuperscript{e}, or ASTM Method D6348-03\textsuperscript{de}</td>
<td>(d) Results of this test consist of the average of the three 1-hour or longer runs.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary internal combustion engine;</td>
<td>(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring flow rate</td>
<td>(a) Alternatively, for CO, O\textsubscript{2}, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (‘3-point long line’). If the duct is &gt;12 inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, Appendix A, the duct may be sampled at ‘3-point long line’; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, Appendix A.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ii. Determine the O\textsubscript{2} concentration of the stationary internal combustion engine exhaust at the sampling port location;</td>
<td>(2) Method 3, 3A, or 3B\textsuperscript{d} of 40 CFR part 60, appendix A-2 or ASTM Method D6522-00 (Reapproved 2005)\textsuperscript{ad}</td>
<td>(b) Measurements to determine O\textsubscript{2} concentration must be made at the same time as the measurements for CO concentration.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>iii. If necessary, determine the exhaust flowrate of the stationary internal combustion engine exhaust;</td>
<td>(3) Method 2 or 2C of 40 CFR 60, appendix A-1 or Method 19 of 40 CFR part 60, appendix A-7</td>
<td>(c) Measurements to determine moisture must be made at the same time as the measurement for CO concentration.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>iv. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and</td>
<td>(4) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A\textsuperscript{e}, or ASTM Method D6348-03\textsuperscript{de}</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
For each requirement to comply with, you must:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Using</th>
<th>According to the following requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>v. Measure CO at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device</td>
<td>(5) Method 10 of 40 CFR part 60, appendix A4; ASTM Method D6522-00(Reapproved 2005)ade Method 320 of 40 CFR part 63, appendix A⁵, or ASTM Method D6348-03de</td>
<td>(d) Results of this test consist of the average of the three 1-hour or longer runs.</td>
</tr>
<tr>
<td>c. Limit the concentration of VOC in the stationary SI internal combustion engine exhaust</td>
<td>i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary internal combustion engine;</td>
<td>(1) Method 1 or 1A of 40 CFR part 60, appendix A-1, if measuring flow rate</td>
</tr>
<tr>
<td></td>
<td>(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A-2 or ASTM Method D6522-00(Reapproved 2005)ad</td>
<td>(a) Alternatively, for VOC, O₂, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is &gt;12 inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, Appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, Appendix A.</td>
</tr>
<tr>
<td></td>
<td>(3) Method 2 or 2C of 40 CFR 60, appendix A-1 or Method 19 of 40 CFR part 60, appendix A-7</td>
<td>(b) Measurements to determine O₂ concentration must be made at the same time as the measurements for VOC concentration.</td>
</tr>
<tr>
<td></td>
<td>(4) Method 4 of 40 CFR part 60, appendix A-3, Method 320 of 40 CFR part 63, appendix A⁵, or ASTM Method D6348-03de</td>
<td>(c) Measurements to determine moisture must be made at the same time as the measurement for VOC concentration.</td>
</tr>
</tbody>
</table>
For each compliance requirement, you must:

v. Measure VOC at the exhaust of the stationary internal combustion engine; if using a control device, the sampling site must be located at the outlet of the control device.


(d) Results of this test consist of the average of the three 1-hour or longer runs.

aAlso, you may petition the Administrator for approval to use alternative methods for portable analyzer.

bYou may use ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses, for measuring the O₂ content of the exhaust gas as an alternative to EPA Method 3B. ASME PTC 19.10-1981 incorporated by reference, see 40 CFR 60.17.

cYou may use EPA Method 18 of 40 CFR part 60, appendix A-6, provided that you conduct an adequate pre-survey test prior to the emissions test, such as the one described in OTM 11 on EPA's Web site (http://www.epa.gov/ttn/emc/prelim/otm11.pdf).

dIncorporated by reference; see 40 CFR 60.17.

eYou must meet the requirements in §60.4245(d).

[81 FR 59809, Aug. 30, 2016]

Table 3 to Subpart JJJJ of Part 60—Applicability of General Provisions to Subpart JJJJ

<table>
<thead>
<tr>
<th>General provisions citation</th>
<th>Subject of citation</th>
<th>Applies to subpart</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>§60.1</td>
<td>General applicability of the General Provisions</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§60.2</td>
<td>Definitions</td>
<td>Yes</td>
<td>Additional terms defined in §60.4248.</td>
</tr>
<tr>
<td>§60.3</td>
<td>Units and abbreviations</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§60.4</td>
<td>Address</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§60.5</td>
<td>Determination of construction or modification</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§60.6</td>
<td>Review of plans</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§60.7</td>
<td>Notification and Recordkeeping</td>
<td>Yes</td>
<td>Except that §60.7 only applies as specified in §60.4245.</td>
</tr>
<tr>
<td>§60.8</td>
<td>Performance tests</td>
<td>Yes</td>
<td>Except that §60.8 only applies to owners and operators who are subject to performance testing in subpart JJJJ.</td>
</tr>
</tbody>
</table>
### Table 4 to Subpart JJJJ of Part 60—Applicability of Mobile Source Provisions for Manufacturers Participating in the Voluntary Certification Program and Certifying Stationary SI ICE to Emission Standards in Table 1 of Subpart JJJJ

As stated in §60.4247, you must comply with the following applicable mobile source provisions if you are a manufacturer participating in the voluntary certification program and certifying stationary SI ICE to emission standards in Table 1 of subpart JJJJ.

<table>
<thead>
<tr>
<th>Mobile source provisions citation</th>
<th>Subject of citation</th>
<th>Applies to subpart</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1048 subpart A</td>
<td>Overview and Applicability</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>1048 subpart B</td>
<td>Emission Standards and Related Requirements</td>
<td>Yes</td>
<td>Except for the specific sections below.</td>
</tr>
<tr>
<td>1048.101</td>
<td>Exhaust Emission Standards</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>1048.105</td>
<td>Evaporative Emission Standards</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>1048.110</td>
<td>Diagnosing Malfunctions</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>1048.140</td>
<td>Certifying Blue Sky Series Engines</td>
<td>No</td>
<td></td>
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<tr>
<td>1048.145</td>
<td>Interim Provisions</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>1048.205(c)</td>
<td>OBD Requirements</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>1048.205(n)</td>
<td>Deterioration Factors</td>
<td>Yes</td>
<td>Except as indicated in 60.4247(c).</td>
</tr>
<tr>
<td>1048.205(p)(1)</td>
<td>Deterioration Factor Discussion</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Mobile source provisions citation</td>
<td>Subject of citation</td>
<td>Applies to subpart</td>
<td>Explanation</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>--------------------</td>
<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1048.205(p)(2)</td>
<td>Liquid Fuels as they require</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>1048.240(b)(c)(d)</td>
<td>Deterioration Factors</td>
<td>Yes</td>
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<tr>
<td>1048 subpart D</td>
<td>Testing Production-Line Engines</td>
<td>Yes</td>
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<td>1048 subpart E</td>
<td>Testing In-Use Engines</td>
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<td>1048 subpart F</td>
<td>Test Procedures</td>
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<td>1065.5(a)(4)</td>
<td>Raw sampling (refers reader back to the specific emissions regulation for guidance)</td>
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<td>1048 subpart G</td>
<td>Compliance Provisions</td>
<td>Yes</td>
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<td>1048 subpart H</td>
<td>Reserved</td>
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<td>1048 subpart I</td>
<td>Definitions and Other Reference Information</td>
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<td>1048 appendix I and II</td>
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<td>1065 (all subparts)</td>
<td>Engine Testing Procedures</td>
<td>Yes</td>
<td>Except for the specific section below.</td>
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<td>1065.715</td>
<td>Test Fuel Specifications for Natural Gas</td>
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<td>1068 (all subparts)</td>
<td>General Compliance Provisions for Nonroad Programs</td>
<td>Yes</td>
<td>Except for the specific sections below.</td>
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<td>1068.245</td>
<td>Hardship Provisions for Unusual Circumstances</td>
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<td>1068.250</td>
<td>Hardship Provisions for Small-Volume Manufacturers</td>
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<td>1068.255</td>
<td>Hardship Provisions for Equipment Manufacturers and Secondary Engine Manufacturers</td>
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What This Subpart Covers

§63.6580 What is the purpose of subpart ZZZZ?

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

[73 FR 3603, Jan. 18, 2008]

§63.6585 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) An area source of HAP emissions is a source that is not a major source.

(d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

(e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.
(f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in §63.6675, which includes operating according to the provisions specified in §63.6640(f).

(1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate or are not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) and that do not operate for the purpose specified in §63.6640(f)(4)(ii).

(2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate or are not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) and that do not operate for the purpose specified in §63.6640(f)(4)(ii).

(3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate or are not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) and that do not operate for the purpose specified in §63.6640(f)(4)(ii).

§63.6590 What parts of my plant does this subpart cover?

This subpart applies to each affected source.

(a) Affected source. An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) Existing stationary RICE.

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

(ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

(2) New stationary RICE. (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(3) Reconstructed stationary RICE. (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after December 19, 2002.
(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.

(b) **Stationary RICE subject to limited requirements.** (1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of §63.6645(f).

(i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii).

(ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of §63.6645(f) and the requirements of §§63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

(3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:

(i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii).

(iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(c) **Stationary RICE subject to Regulations under 40 CFR Part 60.** An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

(1) A new or reconstructed stationary RICE located at an area source;

(2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;
(4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(5) A new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.


§63.6595 When do I have to comply with this subpart?

(a) Affected sources. (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013.

(2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.

(3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(b) Area sources that become major sources. If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.
(1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.

(2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

(c) If you own or operate an affected source, you must meet the applicable notification requirements in §63.6645 and in 40 CFR part 63, subpart A.


Emission and Operating Limitations

§63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.

(b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

(c) If you own or operate any of the following stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

(d) If you own or operate an existing non-emergency stationary CI RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart and the operating limitations in Table 2b to this subpart which apply to you.


§63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart. If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at major source of HAP emissions manufactured on or after January 1, 2008, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

§63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations and other requirements in Table 2c to this subpart which apply to you. Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

[78 FR 6701, Jan. 30, 2013]

§63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.

(b) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. Existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

(1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).

(2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.

(i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.

(ii) At least 10 percent of the power generated by the stationary RICE on an annual basis is used for residential purposes.

(iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.

(c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:

(1) Change oil every 1,000 hours of operation or annually, whichever comes first. Sources have the option to utilize an oil analysis program as described in §63.6625(i) in order to extend the specified oil change requirement.

(2) Inspect and clean air filters every 750 hours of operation or annually, whichever comes first, and replace as necessary.

(3) Inspect fuel filters and belts, if installed, every 750 hours of operation or annually, whichever comes first, and replace as necessary.
(4) Inspect all flexible hoses every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.

(d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in §63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or after the installation date of the engine (whichever is later), but not later than June 1, 2018. You must also comply with the crankcase ventilation system requirements in §63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

(e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart III instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.

(f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in §63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in §63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in §63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.


§63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?

(a) If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel.

(b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in §63.6640(f)(4)(iii), you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.

(c) Beginning January 1, 2015, if you own or operate a new emergency CI stationary RICE with a site rating of more than 500 brake HP and a displacement of less than 30 liters per cylinder located at a major source of HAP that uses diesel fuel and operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii), you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.
(d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either §63.6603(b)(1) or §63.6603(b)(2), or are on offshore vessels that meet §63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013]

General Compliance Requirements

§63.6605 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.


Testing and Initial Compliance Requirements

§63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

If you own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2).

(b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.
(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

(5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3605, Jan. 18, 2008]

§63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?

If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must conduct an initial performance test within 240 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions specified in Table 4 to this subpart, as appropriate.


§63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2).

(b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.


§63.6615 When must I conduct subsequent performance tests?

If you must comply with the emission limitations and operating limitations, you must conduct subsequent performance tests as specified in Table 3 of this subpart.
§63.6620 What performance tests and other procedures must I use?

(a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.

(b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE listed in paragraphs (b)(1) through (4) of this section.

1) Non-emergency 4SRB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

2) New non-emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP located at a major source of HAP emissions.

3) New non-emergency 2SLB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

4) New non-emergency CI stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(c) [Reserved]

(d) You must conduct three separate test runs for each performance test required in this section, as specified in §63.7(e)(3). Each test run must last at least 1 hour, unless otherwise specified in this subpart.

(e)(1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

\[
\frac{C_i - C_o}{C_i} \times 100 = R \quad (Eq. 1)
\]

Where:

\( C_i \) = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

\( C_o \) = concentration of CO, THC, or formaldehyde at the control device outlet, and

\( R \) = percent reduction of CO, THC, or formaldehyde emissions.

(2) You must normalize the CO, THC, or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO2). If pollutant concentrations are to be corrected to 15 percent oxygen and CO2 concentration is measured in lieu of oxygen concentration measurement, a CO2 correction factor is needed. Calculate the CO2 correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

(i) Calculate the fuel-specific \( F_o \) value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

\[
F_o = \frac{0.209 F_d}{F_c} \quad (Eq. 2)
\]

Where:
F₀ = Fuel factor based on the ratio of oxygen volume to the ultimate CO₂ volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is oxygen, percent/100.

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm3/J (dscf/106 Btu).

F_c = Ratio of the volume of CO₂ produced to the gross calorific value of the fuel from Method 19, dsm3/J (dscf/106 Btu)

(ii) Calculate the CO₂ correction factor for correcting measurement data to 15 percent O₂, as follows:

\[ X_{CO₂} = \frac{5.9}{F₀} \]  \hspace{1cm} (Eq. 3)

Where:

\( X_{CO₂} \) = CO₂ correction factor, percent.

5.9 = 20.9 percent O₂—15 percent O₂, the defined O₂ correction value, percent.

(iii) Calculate the CO, THC, and formaldehyde gas concentrations adjusted to 15 percent O₂ using CO₂ as follows:

\[ C_{adj} = C_d \times X_{CO₂} \]  \hspace{1cm} (Eq. 4)

Where:

\( C_{adj} \) = Calculated concentration of CO, THC, or formaldehyde adjusted to 15 percent O₂.

\( C_d \) = Measured concentration of CO, THC, or formaldehyde, uncorrected.

\( X_{CO₂} \) = CO₂ correction factor, percent.

%CO₂ = Measured CO₂ concentration measured, dry basis, percent.

(f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.

(g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limitations;

(2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;

(3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;
(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.

(1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (e.g., operator adjustment, automatic controller adjustment, etc.) or unintentionally (e.g., wear and tear, error, etc.) on a routine basis or over time;

(2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;

(3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;

(4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;

(5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;

(6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

(7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.

(i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.


§63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either O₂ or CO₂ according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.

(1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.

(2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in §63.8 and according to the applicable performance specifications of 40 CFR
part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

(3) As specified in §63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.

(4) The CEMS data must be reduced as specified in §63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO₂ concentration.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (b)(1) through (6) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

(1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in §63.8(d). As specified in §63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with provisions in §63.8(c)(1)(ii) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in §63.10(c), (e)(1), and (e)(2)(i).

(2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.

(3) The CPMS must collect data at least once every 15 minutes (see also §63.6635).

(4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.

(6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.

(d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.
(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;

(2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;

(5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;

(6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.

(7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska that meet either §63.6603(b)(1) or §63.6603(b)(2) do not have to meet the requirements of this paragraph (g). Existing CI engines located on offshore vessels that meet §63.6603(c) do not have to meet the requirements of this paragraph (g).

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or

(2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.
(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of Table 2c to this subpart or in items 5, 6, 7, 9, or 11 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.


§63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

(a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart.

(b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.

(c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.6645.

(d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.

(e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:

(1) The compliance demonstration must consist of at least three test runs.
(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O₂ using one of the O₂ measurement methods specified in Table 4 of this subpart. Measurements to determine O₂ concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O₂ emissions simultaneously at the inlet and outlet of the control device.


Continuous Compliance Requirements

§63.6635 How do I monitor and collect data to demonstrate continuous compliance?

(a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.

(b) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

§63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

(a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

(c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
(1) The compliance demonstration must consist of at least one test run.

(2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.

(3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.

(4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.

(5) You must measure O2 using one of the O2 measurement methods specified in Table 4 of this subpart. Measurements to determine O2 concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O2 emissions simultaneously at the inlet and outlet of the control device.

(7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.

(d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: A new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

(f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary RICE in emergency situations.
(2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

(ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.

(ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the
engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.


Notifications, Reports, and Records

§63.6645 What notifications must I submit and when?

(a) You must submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following:

(1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

(2) An existing stationary RICE located at an area source of HAP emissions.

(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.

(5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.

(b) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an Initial Notification not later than December 13, 2004.

(c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(d) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an Initial Notification not later than July 16, 2008.

(e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008 and you are required to submit an initial notification, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with §63.6590(b), your notification should include the information in §63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).

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

(h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to §63.9(h)(2)(ii).
(1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.

(2) For each initial compliance demonstration required in Table 5 to this subpart that includes a performance test conducted according to the requirements in Table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to §63.10(d)(2).

(i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in §63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in §63.6603(d) and identifying the state or local regulation that the engine is subject to.


§63.6650 What reports must I submit and when?

(a) You must submit each report in Table 7 of this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.

(1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in §63.6595.

(2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.6595.

(3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

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

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in §63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.
(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.

(1) Company name and address.

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

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

(4) If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with §63.6605(b), including actions taken to correct a malfunction.

(5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.

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

(d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section.

(1) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

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

(e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (4) and (e)(1) through (12) of this section.

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

(2) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.

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

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

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

(6) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.
(7) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS
downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during
that reporting period.

(8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.

(9) A brief description of the stationary RICE.

(10) A brief description of the CMS.

(11) The date of the latest CMS certification or audit.

(12) A description of any changes in CMS, processes, or controls since the last reporting period.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all
deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40
CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along
with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A),
and the Compliance report includes all required information concerning deviations from any emission or operating
limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the
same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not
otherwise affect any obligation the affected source may have to report deviations from permit requirements to the
permit authority.

(g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent
to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to
Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to
the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in
(g)(1) through (g)(3) of this section.

(1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate
that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the
total fuel consumption on an annual basis.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

(h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates or
is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in
§63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in §63.6640(f)(4)(ii), you must submit an annual
report according to the requirements in paragraphs (h)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

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

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v) Hours operated for the purposes specified in §63.6640(f)(2)(ii) and (iii), including the date, start time, and end time
for engine operation for the purposes specified in §63.6640(f)(2)(ii) and (iii).
(vi) Number of hours the engine is contractually obligated to be available for the purposes specified in §63.6640(f)(2)(ii) and (iii).

(vii) Hours spent for operation for the purpose specified in §63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in §63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(viii) If there were no deviations from the fuel requirements in §63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.

(ix) If there were deviations from the fuel requirements in §63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in §63.13.


§63.6655 What records must I keep?

(a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).

(2) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.

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

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.

(1) Records described in §63.10(b)(2)(vi) through (xi).

(2) Previous (i.e., superseded) versions of the performance evaluation plan as required in §63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.
(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE:

(1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency RICE.

(3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(2)(ii) or (iii) or §63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

§63.6660 In what form and how long must I keep my records?

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

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

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).


Other Requirements and Information

§63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a
site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[75 FR 9678, Mar. 3, 2010]

§63.6670 Who implements and enforces this subpart?

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

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are:

(1) Approval of alternatives to the non-opacity emission limitations and operating limitations in §63.6600 under §63.6(g).

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

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

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

(5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in §63.6610(b).

§63.6675 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

Alaska Railbelt Grid means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

Area source means any stationary source of HAP that is not a major source as defined in part 63.

Associated equipment as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

Backup power for renewable energy means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(l)(5) (incorporated by reference, see §63.14).

Black start engine means an engine whose only purpose is to start up a combustion turbine.

CAA means the Clean Air Act (42 U.S.C. 7401 et seq., as amended by Public Law 101-549, 104 Stat. 2399).
Commercial emergency stationary RICE means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Custody transfer means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

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

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;

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

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

(4) Fails to satisfy the general duty to minimize emissions established by §63.6(e)(1)(i).

Diesel engine means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (e.g. biodiesel) that is suitable for use in compression ignition engines.

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO2.

Dual-fuel engine means any stationary RICE in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel.

Emergency stationary RICE means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in §63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in §63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

(1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.

(2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in §63.6640(f).
(3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in §63.6640(f)(2)(ii) or (iii) and §63.6640(f)(4)(i) or (ii).

**Engine startup** means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.

**Four-stroke engine** means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

**Gaseous fuel** means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

**Gasoline** means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

**Glycol dehydration unit** means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes “rich” glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The “lean” glycol is then recycled.

**Hazardous air pollutants (HAP)** means any air pollutants listed in or pursuant to section 112(b) of the CAA.

**Institutional emergency stationary RICE** means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

**ISO standard day conditions** means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

**Landfill gas** means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

**Lean burn engine** means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

**Limited use stationary RICE** means any stationary RICE that operates less than 100 hours per year.

**Liquefied petroleum gas** means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

**Liquid fuel** means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

**Major Source,** as used in this subpart, shall have the same meaning as in §63.2, except that:

(1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;

(2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated;
(3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and

(4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Natural gas means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NOX) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NOx, CO, and volatile organic compounds (VOC) into CO2, nitrogen, and water.

Oil and gas production facility as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (i.e., remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer, or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Oxidation catalyst means an add-on catalytic control device that controls CO and VOC by oxidation.

Peaking unit or engine means any standby engine intended for use during periods of high demand that are not emergencies.

Percent load means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in §63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to §63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to §63.1270(a)(2).

Production field facility means those oil and gas production facilities located prior to the point of custody transfer.

Production well means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C3H8.
Remote stationary RICE means stationary RICE meeting any of the following criteria:

1. Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

2. Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.

   (i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.

   (ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.

(3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

Residential emergency stationary RICE means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

Responsible official means responsible official as defined in 40 CFR 70.2.

Rich burn engine means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NOx (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

Site-rated HP means the maximum manufacturer's design capacity at engine site conditions.

Spark ignition means relating to either: A gasoline-fueled engine; or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary reciprocating internal combustion engine (RICE) means any reciprocating internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.
Stationary RICE test cell/stand means an engine test cell/stand, as defined in subpart PPPPP of this part, that tests stationary RICE.

Stoichiometric means the theoretical air-to-fuel ratio required for complete combustion.

Storage vessel with the potential for flash emissions means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

Subpart means 40 CFR part 63, subpart ZZZZ.

Surface site means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

Two-stroke engine means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

Table 1a to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

As stated in §§63.6600 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

<table>
<thead>
<tr>
<th>For each</th>
<th>You must meet the following emission limitation, except during periods of startup . . .</th>
<th>During periods of startup you must . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 4SRB stationary RICE</td>
<td>a. Reduce formaldehyde emissions by 76 percent or more. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may reduce formaldehyde emissions by 75 percent or more until June 15, 2007 or</td>
<td>Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which the non-startup emission limitations apply.¹</td>
</tr>
<tr>
<td></td>
<td>b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O₂</td>
<td></td>
</tr>
</tbody>
</table>

¹ Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

As stated in §§63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

<table>
<thead>
<tr>
<th>For each . . .</th>
<th>You must meet the following operating limitation, except during periods of startup . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. existing, new and reconstructed 4SRB stationary RICE &gt;500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR; or existing, new and reconstructed 4SRB stationary RICE &gt;500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O&lt;sub&gt;2&lt;/sub&gt; and using NSCR;</td>
<td>a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F.¹</td>
</tr>
<tr>
<td>2. existing, new and reconstructed 4SRB stationary RICE &gt;500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR; or</td>
<td>Comply with any operating limitations approved by the Administrator.</td>
</tr>
<tr>
<td>existing, new and reconstructed 4SRB stationary RICE &gt;500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O&lt;sub&gt;2&lt;/sub&gt; and not using NSCR.</td>
<td></td>
</tr>
</tbody>
</table>

¹Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6706, Jan. 30, 2013]
For each . . .  | You must meet the following emission limitation, except during periods of startup . . .  | During periods of startup you must . . .  
---|---|---  
3. CI stationary RICE  | a. Reduce CO emissions by 70 percent or more; or  |  
  | b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O₂  |  

1Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9680, Mar. 3, 2010]

Table 2b to Subpart ZZZZ of Part 63—Operating Limitations for New and Reconstructed 2SLB and CI Stationary RICE >500 HP Located at a Major Source of HAP Emissions, New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions, Existing CI Stationary RICE >500 HP

As stated in §§63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; and existing CI stationary RICE >500 HP:

| For each . . .  | You must meet the following operating limitation, except during periods of startup . . .  |  
---|---|---  
1. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst; and  | a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and  
  | b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.  |  

2. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an oxidation catalyst  | a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test; and  
  | b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.  |  

3. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and not using an oxidation catalyst; and  | Comply with any operating limitations approved by the Administrator.  
  | New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst; and  |  

|
For each . . . | You must meet the following operating limitation, except during periods of startup . . .
---|---
eexisting CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.

1Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6707, Jan. 30, 2013]

Table 2c to Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions

As stated in §§63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions:

| For each . . . | You must meet the following requirement, except during periods of startup . . . | During periods of startup you must . . . |
---|---|---
1. Emergency stationary CI RICE and black start stationary CI RICE | a. Change oil and filter every 500 hours of operation or annually, whichever comes first.²<sup>2</sup> b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.<sup>3</sup> | Minimize the engine’s time spent at idle and minimize the engine’s startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.<sup>3</sup> |
2. Non-Emergency, non-black start stationary CI RICE ≤100 HP | a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first.²<sup>2</sup> b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.<sup>3</sup> | |
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP | Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O<sub>2</sub>. | |
<table>
<thead>
<tr>
<th>For each . . .</th>
<th>You must meet the following requirement, except during periods of startup . . .</th>
<th>During periods of startup you must . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Non-Emergency, non-black start CI stationary RICE 300&lt;HP≤500</td>
<td>a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O₂; or b. Reduce CO emissions by 70 percent or more.</td>
<td></td>
</tr>
<tr>
<td>5. Non-Emergency, non-black start stationary CI RICE &gt;500 HP</td>
<td>a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O₂; or b. Reduce CO emissions by 70 percent or more.</td>
<td></td>
</tr>
<tr>
<td>6. Emergency stationary SI RICE and black start stationary SI RICE.¹</td>
<td>a. Change oil and filter every 500 hours of operation or annually, whichever comes first;² b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.³</td>
<td></td>
</tr>
<tr>
<td>7. Non-Emergency, non-black start stationary SI RICE &lt;100 HP that are not 2SLB stationary RICE</td>
<td>a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;² b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.³</td>
<td></td>
</tr>
<tr>
<td>8. Non-Emergency, non-black start 2SLB stationary SI RICE &lt;100 HP</td>
<td>a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first;² b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.³</td>
<td></td>
</tr>
<tr>
<td>For each . . .</td>
<td>You must meet the following requirement, except during periods of startup . . .</td>
<td>During periods of startup you must . . .</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500</td>
<td>Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O2.</td>
<td></td>
</tr>
<tr>
<td>10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500</td>
<td>Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O2.</td>
<td></td>
</tr>
<tr>
<td>11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500</td>
<td>Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O2.</td>
<td></td>
</tr>
<tr>
<td>12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis</td>
<td>Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or less at 15 percent O2.</td>
<td></td>
</tr>
</tbody>
</table>

1If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

2Sources have the option to utilize an oil analysis program as described in §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2c of this subpart.

3Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[78 FR 6708, Jan. 30, 2013, as amended at 78 FR 14457, Mar. 6, 2013]
As stated in §§63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

<table>
<thead>
<tr>
<th>For each . . .</th>
<th>You must meet the following requirement, except during periods of startup . . .</th>
<th>During periods of startup you must . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Non-Emergency, non-black start CI stationary RICE ≤300 HP</td>
<td>a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first; b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.</td>
<td>Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.</td>
</tr>
<tr>
<td>2. Non-Emergency, non-black start CI stationary RICE 300&lt;HP≤500</td>
<td>a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O₂; or b. Reduce CO emissions by 70 percent or more.</td>
<td></td>
</tr>
<tr>
<td>3. Non-Emergency, non-black start CI stationary RICE &gt;500 HP</td>
<td>a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O₂; or b. Reduce CO emissions by 70 percent or more.</td>
<td></td>
</tr>
<tr>
<td>4. Emergency stationary CI RICE and black start stationary CI RICE.²</td>
<td>a. Change oil and filter every 500 hours of operation or annually, whichever comes first; b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.</td>
<td></td>
</tr>
<tr>
<td>For each . . .</td>
<td>You must meet the following requirement, except during periods of startup . . .</td>
<td>During periods of startup you must . . .</td>
</tr>
<tr>
<td>----------------</td>
<td>-----------------------------------------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE &gt;500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE &gt;500 HP that operate 24 hours or less per calendar year.</td>
<td>a. Change oil and filter every 500 hours of operation or annually, whichever comes first;(^1); b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.</td>
<td></td>
</tr>
<tr>
<td>6. Non-emergency, non-black start 2SLB stationary RICE</td>
<td>a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first;(^1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.</td>
<td></td>
</tr>
<tr>
<td>7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP</td>
<td>a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;(^1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.</td>
<td></td>
</tr>
<tr>
<td>8. Non-emergency, non-black start 4SLB remote stationary RICE &gt;500 HP</td>
<td>a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first;(^1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and</td>
<td></td>
</tr>
<tr>
<td>For each...</td>
<td>You must meet the following requirement, except during periods of startup...</td>
<td>During periods of startup you must...</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------------------------------------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td></td>
<td>c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.</td>
<td></td>
</tr>
</tbody>
</table>

9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year

Install an oxidation catalyst to reduce HAP emissions from the stationary RICE.

10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP

a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;¹

b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and

c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.

11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP

a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first;¹

b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and

c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.

12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year

Install NSCR to reduce HAP emissions from the stationary RICE.

13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis

a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;¹

b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and
For each . . . | You must meet the following requirement, except during periods of startup . . . | During periods of startup you must . . .
---|---|---
| c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary. |

1Sources have the option to utilize an oil analysis program as described in §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of this subpart.

2If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

[78 FR 6709, Jan. 30, 2013]

Table 3 to Subpart ZZZZ of Part 63—Subsequent Performance Tests

As stated in §§63.6615 and 63.6620, you must comply with the following subsequent performance test requirements:

<table>
<thead>
<tr>
<th>For each . . .</th>
<th>Complying with the requirement to . . .</th>
<th>You must . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. New or reconstructed 2SLB stationary RICE &gt;500 HP located at major sources; new or reconstructed 4SLB stationary RICE ≥250 HP located at major sources; and new or reconstructed CI stationary RICE &gt;500 HP located at major sources</td>
<td>Reduce CO emissions and not using a CEMS</td>
<td>Conduct subsequent performance tests semiannually.1</td>
</tr>
<tr>
<td>2. 4SRB stationary RICE ≥5,000 HP located at major sources</td>
<td>Reduce formaldehyde emissions</td>
<td>Conduct subsequent performance tests semiannually.1</td>
</tr>
<tr>
<td>3. Stationary RICE &gt;500 HP located at major sources and new or reconstructed 4SLB stationary RICE 250≤HP≤500 located at major sources</td>
<td>Limit the concentration of formaldehyde in the stationary RICE exhaust</td>
<td>Conduct subsequent performance tests semiannually.1</td>
</tr>
<tr>
<td>4. Existing non-emergency, non-black start CI stationary RICE &gt;500 HP that are not limited use stationary RICE</td>
<td>Limit or reduce CO emissions and not using a CEMS</td>
<td>Conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first.</td>
</tr>
<tr>
<td>5. Existing non-emergency, non-black start CI stationary RICE &gt;500 HP that are limited use stationary RICE</td>
<td>Limit or reduce CO emissions and not using a CEMS</td>
<td>Conduct subsequent performance tests every 8,760 hours or 5 years, whichever comes first.</td>
</tr>
</tbody>
</table>

1After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

[78 FR 6711, Jan. 30, 2013]
Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests

As stated in §§63.6610, 63.6611, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE:

Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests

<table>
<thead>
<tr>
<th>For each</th>
<th>Complying with the requirement to</th>
<th>You must . . .</th>
<th>Using . . .</th>
<th>According to the following requirements . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 2SLB, 4SLB, and CI stationary RICE</td>
<td>a. reduce CO emissions</td>
<td>i. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and</td>
<td>(a) For CO and O\textsubscript{2} measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (’3-point long line’). If the duct is &gt;12 inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A-1, the duct may be sampled at ’3-point long line’; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A-4.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(b) Measurements to determine O\textsubscript{2} must be made at the same time as the measurements for CO concentration.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>ii. Measure the O\textsubscript{2} at the inlet and outlet of the control device; and</td>
<td>(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM Method D6522-00 (Reapproved 2005)\textsuperscript{ac} (heated probe not necessary)</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>iii. Measure the CO at the inlet and the outlet of the control device</td>
<td>(1) ASTM D6522-00 (Reapproved 2005)\textsuperscript{abc} (heated probe not necessary) or Method 10 of 40 CFR part 60, appendix A-4</td>
<td>(c) The CO concentration must be at 15 percent O\textsubscript{2}, dry basis.</td>
<td></td>
</tr>
<tr>
<td>For each . . .</td>
<td>Complying with the requirement to . . .</td>
<td>You must . . .</td>
<td>Using . . .</td>
<td>According to the following requirements . . .</td>
</tr>
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</tr>
<tr>
<td>2. 4SRB stationary RICE</td>
<td>a. reduce formaldehyde emissions</td>
<td>i. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and</td>
<td>(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM Method D6522-00 (Reapproved 2005)(^a) (heated probe not necessary)</td>
<td>(a) For formaldehyde, (O_2), and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is &gt;12 inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A.</td>
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<tr>
<td></td>
<td>ii. Measure (O_2) at the inlet and outlet of the control device; and</td>
<td>(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM Method D6522-00 (Reapproved 2005)(^a) (heated probe not necessary)</td>
<td>(a) Measurements to determine (O_2) concentration must be made at the same time as the measurements for formaldehyde or THC concentration.</td>
<td></td>
</tr>
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<td></td>
<td>iii. Measure moisture content at the inlet and outlet of the control device; and</td>
<td>(1) Method 4 of 40 CFR part 60, appendix A-3, or Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03(^a)</td>
<td>(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>iv. If demonstrating compliance with the formaldehyde percent reduction requirement, measure formaldehyde at the inlet and the outlet of the control device</td>
<td>(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03(^a), provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent (R) must be greater than or equal to 70 and less than or equal to 130</td>
<td>(a) Formaldehyde concentration must be at 15 percent (O_2), dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>v. If demonstrating compliance with the THC percent reduction requirement, measure THC at the inlet and the outlet of the control device</td>
<td>(1) Method 25A, reported as propane, of 40 CFR part 60, appendix A-7</td>
<td>(a) THC concentration must be at 15 percent (O_2), dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</td>
<td></td>
</tr>
</tbody>
</table>
For each Stationary RICE, comply with the requirement to:

<table>
<thead>
<tr>
<th>Complying with the requirement to</th>
<th>You must . . .</th>
<th>Using . . .</th>
<th>According to the following requirements . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. limit the concentration of formaldehyde or CO in the stationary RICE exhaust</td>
<td>i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary RICE; and</td>
<td>(a) For formaldehyde, CO, O₂, and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts &gt;6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line (‘3-point long line’). If the duct is &gt;12 inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 CFR part 60, appendix A, the duct may be sampled at ‘3-point long line’; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 CFR part 60, appendix A. If using a control device, the sampling site must be located at the outlet of the control device.</td>
<td></td>
</tr>
<tr>
<td>ii. Determine the O₂ concentration of the stationary RICE exhaust at the sampling port location; and</td>
<td>(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM Method D6522-00 (Reapproved 2005)² (heated probe not necessary)</td>
<td>(a) Measurements to determine O₂ concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.</td>
<td></td>
</tr>
<tr>
<td>iii. Measure moisture content of the stationary RICE exhaust at the sampling port location; and</td>
<td>(1) Method 4 of 40 CFR part 60, appendix A-3, or Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03²</td>
<td>(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.</td>
<td></td>
</tr>
<tr>
<td>iv. Measure formaldehyde at the exhaust of the stationary RICE; or</td>
<td>(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03², provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130</td>
<td>(a) Formaldehyde concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</td>
<td></td>
</tr>
<tr>
<td>v. measure CO at the exhaust of the stationary RICE</td>
<td>(1) Method 10 of 40 CFR part 60, appendix A-4, ASTM Method D6522-00 (2005)², Method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03²</td>
<td>(a) CO concentration must be at 15 percent O₂, dry basis. Results of this test consist of the average of the three 1-hour or longer runs.</td>
<td></td>
</tr>
</tbody>
</table>
You may also use Methods 3A and 10 as options to ASTM-D6522-00 (2005). You may obtain a copy of ASTM-D6522-00 (2005) from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

You may obtain a copy of ASTM-D6348-03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

[79 FR 11290, Feb. 27, 2014]

Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations, Operating Limitations, and Other Requirements

As stated in §§63.6612, 63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following:

<table>
<thead>
<tr>
<th>For each . . .</th>
<th>Complying with the requirement to . . .</th>
<th>You have demonstrated initial compliance if . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</td>
<td>a. Reduce CO emissions and using oxidation catalyst, and using a CPMS</td>
<td>i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.</td>
</tr>
<tr>
<td>2. Non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</td>
<td>a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS</td>
<td>i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.</td>
</tr>
<tr>
<td>3. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</td>
<td>a. Reduce CO emissions and not using oxidation catalyst</td>
<td>i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.</td>
</tr>
<tr>
<td>For each . . .</td>
<td>Complying with the requirement to . . .</td>
<td>You have demonstrated initial compliance if . . .</td>
</tr>
<tr>
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</tr>
<tr>
<td>4. Non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</td>
<td>a. Limit the concentration of CO, and not using oxidation catalyst.</td>
<td>i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.</td>
</tr>
<tr>
<td>5. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</td>
<td>a. Reduce CO emissions, and using a CEMS</td>
<td>i. You have installed a CEMS to continuously monitor CO and either O2 or CO2 at both the inlet and outlet of the oxidation catalyst according to the requirements in §63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and iii. The average reduction of CO calculated using §63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.</td>
</tr>
<tr>
<td>6. Non-emergency stationary CI RICE &gt;500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP located at an area source of HAP</td>
<td>a. Limit the concentration of CO, and using a CEMS</td>
<td>i. You have installed a CEMS to continuously monitor CO and either O2 or CO2 at the outlet of the oxidation catalyst according to the requirements in §63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and iii. The average concentration of CO calculated using §63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.</td>
</tr>
<tr>
<td>7. Non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP</td>
<td>a. Reduce formaldehyde emissions and using NSCR</td>
<td>i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction, or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and</td>
</tr>
</tbody>
</table>
For each . . . & Complying with the requirement to . . . & You have demonstrated initial compliance if . . .

| **8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP** | **a. Reduce formaldehyde emissions and not using NSCR** | **i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and**  
| | | **ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and**  
| | | **iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.** |
| **9. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP** | **a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR** | **i. The average formaldehyde concentration, corrected to 15 percent O₂, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and**  
| | | **ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and**  
| | | **iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.** |
| **10. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP** | **a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR** | **i. The average formaldehyde concentration, corrected to 15 percent O₂, dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and**  
| | | **ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and**  
| | | **iii. You have recorded the approved operating parameters (if any) during the initial performance test.** |
| **11. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP** | **a. Reduce CO emissions** | **i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.** |
### Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, and Other Requirements

As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

<table>
<thead>
<tr>
<th>For each . . .</th>
<th>Complying with the requirement to . . .</th>
<th>You must demonstrate continuous compliance by . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>12. Existing non-emergency stationary RICE $100 \lesssim HP \lesssim 500$ located at a major source of HAP and existing non-emergency stationary CI RICE $300 \lesssim HP \lesssim 500$ located at an area source of HAP</td>
<td>a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust</td>
<td>i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O$_2$, dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.</td>
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<td></td>
<td></td>
<td>ii. You have conducted an initial compliance demonstration as specified in §63.6630(e) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O$_2$;</td>
</tr>
<tr>
<td>13. Existing non-emergency 4SLB stationary RICE $&gt;500$ HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year</td>
<td>a. Install an oxidation catalyst</td>
<td>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1350 °F.</td>
</tr>
<tr>
<td>14. Existing non-emergency 4SRB stationary RICE $&gt;500$ HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year</td>
<td>a. Install NSCR</td>
<td>i. You have conducted an initial compliance demonstration as specified in §63.6630(e) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O$_2$, or the average reduction of emissions of THC is 30 percent or more;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1250 °F.</td>
</tr>
</tbody>
</table>

[78 FR 6712, Jan. 30, 2013]
<table>
<thead>
<tr>
<th>For each . . .</th>
<th>Complying with the requirement to . . .</th>
<th>You must demonstrate continuous compliance by . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE &gt;500 HP located at a major source of HAP</td>
<td>a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS</td>
<td>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</td>
</tr>
<tr>
<td>3. New or reconstructed non-emergency 2SLB stationary RICE &gt;500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and existing non-emergency stationary CI RICE &gt;500 HP</td>
<td>a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS</td>
<td>i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved; and ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and</td>
</tr>
<tr>
<td>4. Non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP</td>
<td>a. Reduce formaldehyde emissions and using NSCR</td>
<td>i. Collecting the catalyst inlet temperature data according to §63.6625(b); and ii. Reducing these data to 4-hour rolling averages; and iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</td>
</tr>
<tr>
<td>For each . . .</td>
<td>Complying with the requirement to . . .</td>
<td>You must demonstrate continuous compliance by . . .</td>
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<tr>
<td>5. Non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP</td>
<td>a. Reduce formaldehyde emissions and not using NSCR</td>
<td>i. Collecting the approved operating parameter (if any) data according to §63.6625(b); and</td>
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<tr>
<td></td>
<td></td>
<td>ii. Reducing these data to 4-hour rolling averages; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</td>
</tr>
<tr>
<td>6. Non-emergency 4SRB stationary RICE with a brake HP ≥5,000 located at a major source of HAP</td>
<td>a. Reduce formaldehyde emissions</td>
<td>Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent.³</td>
</tr>
<tr>
<td>7. New or reconstructed non-emergency stationary RICE &gt;500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP</td>
<td>a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR</td>
<td>i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit²; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. Reducing these data to 4-hour rolling averages; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</td>
</tr>
<tr>
<td>8. New or reconstructed non-emergency stationary RICE &gt;500 HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP</td>
<td>a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR</td>
<td>i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit²; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. Reducing these data to 4-hour rolling averages; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</td>
</tr>
<tr>
<td>For each . . .</td>
<td>Complying with the requirement to . . .</td>
<td>You must demonstrate continuous compliance by . . .</td>
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<tr>
<td>----------------</td>
<td>----------------------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE &lt;100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE &gt;500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE &gt;500 HP located at an area source of HAP that are remote stationary RICE</td>
<td>a. Work or Management practices</td>
<td>i. Operating and maintaining the stationary RICE according to the manufacturer’s emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.</td>
</tr>
<tr>
<td>10. Existing stationary CI RICE &gt;500 HP that are not limited use stationary RICE</td>
<td>a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst</td>
<td>i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</td>
</tr>
<tr>
<td>11. Existing stationary CI RICE &gt;500 HP that are not limited use stationary RICE</td>
<td>a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and not using oxidation catalyst</td>
<td>i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and</td>
</tr>
<tr>
<td>For each . . .</td>
<td>Complying with the requirement to . . .</td>
<td>You must demonstrate continuous compliance by . . .</td>
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<tr>
<td>--------------</td>
<td>----------------------------------------</td>
<td>------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>iii. Reducing these data to 4-hour rolling averages; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</td>
<td></td>
</tr>
<tr>
<td>12. Existing limited use CI stationary RICE &gt;500 HP</td>
<td>a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using an oxidation catalyst</td>
<td>i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. Reducing these data to 4-hour rolling averages; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</td>
</tr>
<tr>
<td>13. Existing limited use CI stationary RICE &gt;500 HP</td>
<td>a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst</td>
<td>i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. Reducing these data to 4-hour rolling averages; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.</td>
</tr>
<tr>
<td>For each . . .</td>
<td>Complying with the requirement to . . .</td>
<td>You must demonstrate continuous compliance by . . .</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
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<td>-------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>14. Existing non-emergency 4SLB stationary RICE &gt;500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year</td>
<td>a. Install an oxidation catalyst i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O₂; and either ii. Collecting the catalyst inlet temperature data according to §63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F.</td>
<td></td>
</tr>
<tr>
<td>15. Existing non-emergency 4SRB stationary RICE &gt;500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year</td>
<td>a. Install NSCR i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O₂, or the average reduction of emissions of THC is 30 percent or more; and either ii. Collecting the catalyst inlet temperature data according to §63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F.</td>
<td></td>
</tr>
</tbody>
</table>

*aAfter you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

[78 FR 6715, Jan. 30, 2013]
Table 7 to Subpart ZZZZ of Part 63—Requirements for Reports

As stated in §63.6650, you must comply with the following requirements for reports:

<table>
<thead>
<tr>
<th>For each . . .</th>
<th>You must submit a . . .</th>
<th>The report must contain . . .</th>
<th>You must submit the report . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Existing non-emergency, non-black start stationary RICE 100s&lt;HP&lt;500 located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE ≥500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE ≥500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE ≥300 HP located at an area source of HAP; new or reconstructed non-emergency stationary RICE ≥500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP&lt;500 located at a major source of HAP</td>
<td>Compliance report</td>
<td>a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or</td>
<td>i. Semiannually according to the requirements in §63.6650(b)(1)-(5) for engines that are not limited use stationary RICE subject to numerical emission limitations; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>ii. Annually according to the requirements in §63.6650(b)(6)-(9) for engines that are limited use stationary RICE subject to numerical emission limitations.</td>
</tr>
<tr>
<td>2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis</td>
<td>Report</td>
<td>b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e); or</td>
<td>i. Semiannually according to the requirements in §63.6650(b).</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>ii. Annually according to the requirements in §63.6650(b).</td>
</tr>
<tr>
<td></td>
<td>c. If you had a malfunction during the reporting period, the information in §63.6650(c)(4).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Existing non-emergency, non-black start 4SLB and 4SRB stationary RICE ≥500 HP located at an area source of HAP that are not remote stationary RICE and that operate more than 24 hours per calendar year</td>
<td>Compliance report</td>
<td>a. The results of the annual compliance demonstration, if conducted during the reporting period.</td>
<td>i. Semiannually according to the requirements in §63.6650(b)(1)-(5).</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>ii. See item 2.a.i.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>iii. See item 2.a.i.</td>
</tr>
</tbody>
</table>


For each . . . You must submit a . . . The report must contain . . . You must submit the report . . .

4. Emergency stationary RICE that operate or are contractually obligated to be available for more than 15 hours per year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or that operate for the purposes specified in §63.6640(f)(4)(ii) Report a. The information in §63.6650(h)(1) i. annually according to the requirements in §63.6650(h)(2)-(3).

[78 FR 6719, Jan. 30, 2013]

Table 8 to Subpart ZZZZ of Part 63—Applicability of General Provisions to Subpart ZZZZ.

As stated in §63.6665, you must comply with the following applicable general provisions.

<table>
<thead>
<tr>
<th>General provisions citation</th>
<th>Subject of citation</th>
<th>Applies to subpart</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>§63.1</td>
<td>General applicability of the General Provisions</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.2</td>
<td>Definitions</td>
<td>Yes.</td>
<td>Additional terms defined in §63.6675.</td>
</tr>
<tr>
<td>§63.3</td>
<td>Units and abbreviations</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.4</td>
<td>Prohibited activities and circumvention</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.5</td>
<td>Construction and reconstruction</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(a)</td>
<td>Applicability</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(b)(1)-(4)</td>
<td>Compliance dates for new and reconstructed sources</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(b)(5)</td>
<td>Notification</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(b)(6)</td>
<td>[Reserved]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>§63.6(b)(7)</td>
<td>Compliance dates for new and reconstructed area sources that become major sources</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(c)(1)-(2)</td>
<td>Compliance dates for existing sources</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(c)(3)-(4)</td>
<td>[Reserved]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>§63.6(c)(5)</td>
<td>Compliance dates for existing area sources that become major sources</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(d)</td>
<td>[Reserved]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>§63.6(e)</td>
<td>Operation and maintenance</td>
<td>No.</td>
<td></td>
</tr>
<tr>
<td>§63.6(f)(1)</td>
<td>Applicability of standards</td>
<td>No.</td>
<td></td>
</tr>
<tr>
<td>§63.6(f)(2)</td>
<td>Methods for determining compliance</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(f)(3)</td>
<td>Finding of compliance</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(g)(1)-(3)</td>
<td>Use of alternate standard</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.6(h)</td>
<td>Opacity and visible emission standards</td>
<td>No</td>
<td>Subpart ZZZZ does not contain opacity or visible emission standards.</td>
</tr>
<tr>
<td>§63.6(i)</td>
<td>Compliance extension procedures and criteria</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>General provisions citation</td>
<td>Subject of citation</td>
<td>Applies to subpart</td>
<td>Explanation</td>
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</tr>
<tr>
<td>§63.6(j)</td>
<td>Presidential compliance exemption</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(a)(1)-(2)</td>
<td>Performance test dates</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(a)(3)</td>
<td>CAA section 114 authority</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(b)(1)</td>
<td>Notification of performance test</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(b)(2)</td>
<td>Notification of rescheduling</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(c)</td>
<td>Quality assurance/test plan</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(d)</td>
<td>Testing facilities</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(e)(1)</td>
<td>Conditions for conducting performance tests</td>
<td>No</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(e)(2)</td>
<td>Conduct of performance tests and reduction of data</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(e)(3)</td>
<td>Test run duration</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(e)(4)</td>
<td>Administrator may require other testing under section 114 of the CAA</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(f)</td>
<td>Alternative test method provisions</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(g)</td>
<td>Performance test data analysis, recordkeeping, and reporting</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.7(h)</td>
<td>Waiver of tests</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(a)(1)</td>
<td>Applicability of monitoring requirements</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(a)(2)</td>
<td>Performance specifications</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(a)(3)</td>
<td>[Reserved]</td>
<td>No</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(a)(4)</td>
<td>Monitoring for control devices</td>
<td>No</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(b)(1)</td>
<td>Monitoring</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(b)(2)-(3)</td>
<td>Multiple effluents and multiple monitoring systems</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(c)(1)</td>
<td>Monitoring system operation and maintenance</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(c)(1)(i)</td>
<td>Routine and predictable SSM</td>
<td>No</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(c)(1)(ii)</td>
<td>SSM not in Startup Shutdown Malfunction Plan</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(c)(1)(iii)</td>
<td>Compliance with operation and maintenance requirements</td>
<td>No</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(c)(2)-(3)</td>
<td>Monitoring system installation</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(c)(4)</td>
<td>Continuous monitoring system (CMS) requirements</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(c)(5)</td>
<td>COMS minimum procedures</td>
<td>No</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>§63.8(c)(6)-(8)</td>
<td>CMS requirements</td>
<td>Yes</td>
<td>Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.</td>
</tr>
<tr>
<td>General provisions citation</td>
<td>Subject of citation</td>
<td>Applies to subpart</td>
<td>Explanation</td>
</tr>
<tr>
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</tr>
<tr>
<td>§63.8(d) CMS quality control</td>
<td>Yes.</td>
<td>Except for §63.8(e)(5)(ii), which applies to COMS.</td>
<td></td>
</tr>
<tr>
<td>§63.8(e) CMS performance evaluation</td>
<td>Yes</td>
<td>Except that §63.8(e) only applies as specified in §63.6645.</td>
<td></td>
</tr>
<tr>
<td>§63.8(f)(1)-(5) Alternative monitoring method</td>
<td>Yes</td>
<td>Except that §63.8(f)(4) only applies as specified in §63.6645.</td>
<td></td>
</tr>
<tr>
<td>§63.8(f)(6) Alternative to relative accuracy test</td>
<td>Yes</td>
<td>Except that §63.8(f)(6) only applies as specified in §63.6645.</td>
<td></td>
</tr>
<tr>
<td>§63.8(g) Data reduction</td>
<td>Yes</td>
<td>Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§63.6635 and 63.6640.</td>
<td></td>
</tr>
<tr>
<td>§63.9(a) Applicability and State delegation of notification requirements</td>
<td>Yes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>§63.9(b)(1)-(5) Initial notifications</td>
<td>Yes</td>
<td>Except that §63.9(b)(3) is reserved.</td>
<td></td>
</tr>
<tr>
<td>§63.9(c) Request for compliance extension</td>
<td>Yes</td>
<td>Except that §63.9(c) only applies as specified in §63.6645.</td>
<td></td>
</tr>
<tr>
<td>§63.9(d) Notification of special compliance requirements for new sources</td>
<td>Yes</td>
<td>Except that §63.9(d) only applies as specified in §63.6645.</td>
<td></td>
</tr>
<tr>
<td>§63.9(e) Notification of performance test</td>
<td>Yes</td>
<td>Except that §63.9(e) only applies as specified in §63.6645.</td>
<td></td>
</tr>
<tr>
<td>§63.9(f) Notification of visible emission (VE)/opacity test</td>
<td>No</td>
<td>Subpart ZZZZ does not contain opacity or VE standards.</td>
<td></td>
</tr>
<tr>
<td>§63.9(g)(1) Notification of performance evaluation</td>
<td>Yes</td>
<td>Except that §63.9(g) only applies as specified in §63.6645.</td>
<td></td>
</tr>
<tr>
<td>§63.9(g)(2) Notification of use of COMS data</td>
<td>No</td>
<td>Subpart ZZZZ does not contain opacity or VE standards.</td>
<td></td>
</tr>
<tr>
<td>§63.9(g)(3) Notification that criterion for alternative to RATA is exceeded</td>
<td>Yes</td>
<td>If alternative is in use.</td>
<td></td>
</tr>
<tr>
<td>§63.9(h)(1)-(6) Notification of compliance status</td>
<td>Yes</td>
<td>Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. §63.9(h)(4) is reserved.</td>
<td></td>
</tr>
<tr>
<td>§63.9(i) Adjustment of submittal deadlines</td>
<td>Yes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>§63.9(j) Change in previous information</td>
<td>Yes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General provisions citation</td>
<td>Subject of citation</td>
<td>Applies to subpart</td>
<td>Explanation</td>
</tr>
<tr>
<td>------------------------------</td>
<td>--------------------------------------------</td>
<td>--------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>§63.10(a)</td>
<td>Administrative provisions for recordkeeping/reporting</td>
<td>Yes.</td>
<td></td>
</tr>
<tr>
<td>§63.10(b)(1)</td>
<td>Record retention</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§63.10(b)(2)(i)-(v)</td>
<td>Records related to SSM</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>§63.10(b)(2)(vi)-(xi)</td>
<td>Records</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§63.10(b)(2)(xii)</td>
<td>Record when under waiver</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§63.10(b)(2)(xiii)</td>
<td>Records when using alternative to RATA</td>
<td>Yes</td>
<td>For CO standard if using RATA alternative.</td>
</tr>
<tr>
<td>§63.10(b)(2)(xiv)</td>
<td>Records of supporting documentation</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§63.10(b)(3)</td>
<td>Records of applicability determination</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§63.10(c)</td>
<td>Additional records for sources using CEMS</td>
<td>Yes</td>
<td>Except that §63.10(c)(2)-(4) and (9) are reserved.</td>
</tr>
<tr>
<td>§63.10(d)(1)</td>
<td>General reporting requirements</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§63.10(d)(2)</td>
<td>Report of performance test results</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§63.10(d)(3)</td>
<td>Reporting opacity or VE observations</td>
<td>No</td>
<td>Subpart ZZZZ does not contain opacity or VE standards.</td>
</tr>
<tr>
<td>§63.10(d)(4)</td>
<td>Progress reports</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>§63.10(d)(5)</td>
<td>Startup, shutdown, and malfunction reports</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>§63.10(e)(1) and (2)(i)</td>
<td>Additional CMS Reports</td>
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<td></td>
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<tr>
<td>§63.10(e)(2)(ii)</td>
<td>COMS-related report</td>
<td>No</td>
<td>Subpart ZZZZ does not require COMS.</td>
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<tr>
<td>§63.10(e)(3)</td>
<td>Excess emission and parameter exceedances reports</td>
<td>Yes.</td>
<td>Except that §63.10(e)(3)(i) (C) is reserved.</td>
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<tr>
<td>§63.10(e)(4)</td>
<td>Reporting COMS data</td>
<td>No</td>
<td>Subpart ZZZZ does not require COMS.</td>
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<tr>
<td>§63.10(f)</td>
<td>Waiver for recordkeeping/reporting</td>
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<td></td>
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<td>§63.11</td>
<td>Flares</td>
<td>No</td>
<td></td>
</tr>
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<td>§63.12</td>
<td>State authority and delegations</td>
<td>Yes</td>
<td></td>
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<td>§63.13</td>
<td>Addresses</td>
<td>Yes</td>
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<tr>
<td>§63.14</td>
<td>Incorporation by reference</td>
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<tr>
<td>§63.15</td>
<td>Availability of information</td>
<td>Yes</td>
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Appendix A—Protocol for Using an Electrochemical Analyzer to Determine Oxygen and Carbon Monoxide Concentrations From Certain Engines

1.0 Scope and Application. What is this Protocol?

This protocol is a procedure for using portable electrochemical (EC) cells for measuring carbon monoxide (CO) and oxygen (O₂) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

1.1 Analytes. What does this protocol determine?

This protocol measures the engine exhaust gas concentrations of carbon monoxide (CO) and oxygen (O₂).

<table>
<thead>
<tr>
<th>Analyte</th>
<th>CAS No.</th>
<th>Sensitivity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carbon monoxide (CO)</td>
<td>630-08-0</td>
<td>Minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.</td>
</tr>
<tr>
<td>Oxygen (O₂)</td>
<td>7782-44-7</td>
<td></td>
</tr>
</tbody>
</table>

1.2 Applicability. When is this protocol acceptable?

This protocol is applicable to 40 CFR part 63, subpart ZZZZ. Because of inherent cross sensitivities of EC cells, you must not apply this protocol to other emissions sources without specific instruction to that effect.

1.3 Data Quality Objectives. How good must my collected data be?

Refer to Section 13 to verify and document acceptable analyzer performance.

1.4 Range. What is the targeted analytical range for this protocol?

The measurement system and EC cell design(s) conforming to this protocol will determine the analytical range for each gas component. The nominal ranges are defined by choosing up-scale calibration gas concentrations near the maximum anticipated flue gas concentrations for CO and O₂, or no more than twice the permitted CO level.

1.5 Sensitivity. What minimum detectable limit will this protocol yield for a particular gas component?

The minimum detectable limit depends on the nominal range and resolution of the specific EC cell used, and the signal to noise ratio of the measurement system. The minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.

2.0 Summary of Protocol

In this protocol, a gas sample is extracted from an engine exhaust system and then conveyed to a portable EC analyzer for measurement of CO and O₂ gas concentrations. This method provides measurement system performance specifications and sampling protocols to ensure reliable data. You may use additions to, or modifications of vendor supplied measurement systems (e.g., heated or unheated sample lines, thermocouples, flow meters, selective gas scrubbers, etc.) to meet the design specifications of this protocol. Do not make changes to the measurement system from the as-verified configuration (Section 3.12).

3.0 Definitions

3.1 Measurement System. The total equipment required for the measurement of CO and O₂ concentrations. The measurement system consists of the following major subsystems:
3.1.1 Data Recorder. A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.

3.1.2 Electrochemical (EC) Cell. A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.

3.1.3 Interference Gas Scrubber. A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.

3.1.4 Moisture Removal System. Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.

3.1.5 Sample Interface. The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.

3.2 Nominal Range. The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given cell so long as the calibration and repeatability checks for that range remain within specifications.

3.3 Calibration Gas. A vendor certified concentration of a specific analyte in an appropriate balance gas.

3.4 Zero Calibration Error. The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.

3.5 Up-Scale Calibration Error. The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.

3.6 Interference Check. A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.

3.7 Repeatability Check. A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.

3.8 Sample Flow Rate. The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.

3.9 Sampling Run. A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O₂ and moisture in the electrolyte reserve and provides a mechanism to degas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre-sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.

3.10 Sampling Day. A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.

3.11 Pre-Sampling Calibration/Post-Sampling Calibration Check. The protocols executed at the beginning and end of each sampling day to bracket measurement readings with controlled performance checks.
3.12 Performance-Established Configuration. The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

4.0 Interferences.

When present in sufficient concentrations, NO and NO₂ are two gas species that have been reported to interfere with CO concentration measurements. In the likelihood of this occurrence, it is the protocol user's responsibility to employ and properly maintain an appropriate CO EC cell filter or scrubber for removal of these gases, as described in Section 6.2.12.

5.0 Safety. [Reserved]

6.0 Equipment and Supplies.

6.1 What equipment do I need for the measurement system?

The system must maintain the gas sample at conditions that will prevent moisture condensation in the sample transport lines, both before and as the sample gas contacts the EC cells. The essential components of the measurement system are described below.

6.2 Measurement System Components.

6.2.1 Sample Probe. A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.

6.2.2 Sample Line. Non-reactive tubing to transport the effluent from the sample probe to the EC cell.

6.2.3 Calibration Assembly (optional). A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.

6.2.4 Particulate Filter (optional). Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.

6.2.5 Sample Pump. A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.

6.2.8 Sample Flow Rate Monitoring. An adjustable rotameter or equivalent device used to adjust and maintain the sample flow rate through the analyzer as prescribed.

6.2.9 Sample Gas Manifold (optional). A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.

6.2.10 EC cell. A device containing one or more EC cells to determine the CO and O₂ concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.

6.2.11 Data Recorder. A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O₂; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.
6.2.12 Interference Gas Filter or Scrubber. A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

7.0 Reagents and Standards. What calibration gases are needed?

7.1 Calibration Gases. CO calibration gases for the EC cell must be CO in nitrogen or CO in a mixture of nitrogen and O₂. Use CO calibration gases with labeled concentration values certified by the manufacturer to be within ±5 percent of the label value. Dry ambient air (20.9 percent O₂) is acceptable for calibration of the O₂ cell. If needed, any lower percentage O₂ calibration gas must be a mixture of O₂ in nitrogen.

7.1.1 Up-Scale CO Calibration Gas Concentration. Choose one or more up-scale gas concentrations such that the average of the stack gas measurements for each stack gas sampling run are between 25 and 150 percent of those concentrations. Alternatively, choose an up-scale gas that does not exceed twice the concentration of the applicable outlet standard. If a measured gas value exceeds 150 percent of the up-scale CO calibration gas value at any time during the stack gas sampling run, the run must be discarded and repeated.

7.1.2 Up-Scale O₂ Calibration Gas Concentration.

Select an O₂ gas concentration such that the difference between the gas concentration and the average stack gas measurement or reading for each sample run is less than 15 percent O₂. When the average exhaust gas O₂ readings are above 6 percent, you may use dry ambient air (20.9 percent O₂) for the up-scale O₂ calibration gas.

7.1.3 Zero Gas. Use an inert gas that contains less than 0.25 percent of the up-scale CO calibration gas concentration. You may use dry air that is free from ambient CO and other combustion gas products (e.g., CO₂).

8.0 Sample Collection and Analysis

8.1 Selection of Sampling Sites.

8.1.1 Control Device Inlet. Select a sampling site sufficiently downstream of the engine so that the combustion gases should be well mixed. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

8.1.2 Exhaust Gas Outlet. Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction or recirculation take-off) and at least one-half stack diameter upstream of the gas discharge to the atmosphere. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

8.2 Stack Gas Collection and Analysis. Prior to the first stack gas sampling run, conduct the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the “sample conditioning phase” once per minute until constant readings are obtained. Then begin the “measurement data phase” and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the “refresh phase” by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the “measurement data phase” readings to calculate the average stack gas CO and O₂ concentrations.

8.3 EC Cell Rate. Maintain the EC cell sample flow rate so that it does not vary by more than ±10 percent throughout the pre-sampling calibration, stack gas sampling and post-sampling calibration check. Alternatively, the EC cell sample flow rate can be maintained within a tolerance range that does not affect the gas concentration readings by more than ±3 percent, as instructed by the EC cell manufacturer.

9.0 Quality Control (Reserved)
10.0 Calibration and Standardization

10.1 Pre-Sampling Calibration. Conduct the following protocol once for each nominal range to be used on each EC cell before performing a stack gas sampling run on each field sampling day. Repeat the calibration if you replace an EC cell before completing all of the sampling runs. There is no prescribed order for calibration of the EC cells; however, each cell must complete the measurement data phase during calibration. Assemble the measurement system by following the manufacturer's recommended protocols including for preparing and preconditioning the EC cell. Assure the measurement system has no leaks and verify the gas scrubbing agent is not depleted. Use Figure 1 to record all data.

10.1.1 Zero Calibration. For both the O₂ and CO cells, introduce zero gas to the measurement system (e.g., at the calibration assembly) and record the concentration reading every minute until readings are constant for at least two consecutive minutes. Include the time and sample flow rate. Repeat the steps in this section at least once to verify the zero calibration for each component gas.

10.1.2 Zero Calibration Tolerance. For each zero gas introduction, the zero level output must be less than or equal to ±3 percent of the up-scale gas value or ±1 ppm, whichever is less restrictive, for the CO channel and less than or equal to ±0.3 percent O₂ for the O₂ channel.

10.1.3 Up-Scale Calibration. Individually introduce each calibration gas to the measurement system (e.g., at the calibration assembly) and record the start time. Record all EC cell output responses and the flow rate during this “sample conditioning phase” once per minute until readings are constant for at least two minutes. Then begin the “measurement data phase” and record readings every 15 seconds for a total of two minutes, or as otherwise required. Finally, perform the “refresh phase” by introducing dry air, free from CO and other combustion gases, until readings are constant for at least two consecutive minutes. Then repeat the steps in this section at least once to verify the calibration for each component gas. Introduce all gases to flow through the entire sample handling system (i.e., at the exit end of the sampling probe or the calibration assembly).

10.1.4 Up-Scale Calibration Error. The mean of the difference of the “measurement data phase” readings from the reported standard gas value must be less than or equal to ±5 percent or ±1 ppm for CO or ±0.5 percent O₂, whichever is less restrictive, respectively. The maximum allowable deviation from the mean measured value of any single “measurement data phase” reading must be less than or equal to ±2 percent or ±1 ppm for CO or ±0.5 percent O₂, whichever is less restrictive, respectively.

10.2 Post-Sampling Calibration Check. Conduct a stack gas post-sampling calibration check after the stack gas sampling run or set of runs and within 12 hours of the initial calibration. Conduct up-scale and zero calibration checks using the protocol in Section 10.1. Make no changes to the sampling system or EC cell calibration until all post-sampling calibration checks have been recorded. If either the zero or up-scale calibration error exceeds the respective specification in Sections 10.1.2 and 10.1.4 then all measurement data collected since the previous successful calibrations are invalid and re-calibration and re-sampling are required. If the sampling system is disassembled or the EC cell calibration is adjusted, repeat the calibration check before conducting the next analyzer sampling run.

11.0 Analytical Procedure

The analytical procedure is fully discussed in Section 8.

12.0 Calculations and Data Analysis

Determine the CO and O₂ concentrations for each stack gas sampling run by calculating the mean gas concentrations of the data recorded during the “measurement data phase”.

13.0 Protocol Performance

Use the following protocols to verify consistent analyzer performance during each field sampling day.

13.1 Measurement Data Phase Performance Check. Calculate the mean of the readings from the “measurement data phase”. The maximum allowable deviation from the mean for each of the individual readings is ±2 percent, or ±1 ppm,
whichever is less restrictive. Record the mean value and maximum deviation for each gas monitored. Data must conform to Section 10.1.4. The EC cell flow rate must conform to the specification in Section 8.3.

*Example:* A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than ±2 percent or ±1 ppm (the default criteria). For example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed.

13.2 *Interference Check.* Before the initial use of the EC cell and interference gas scrubber in the field, and semi-annually thereafter, challenge the interference gas scrubber with NO and NO₂ gas standards that are generally recognized as representative of diesel-fueled engine NO and NO₂ emission values. Record the responses displayed by the CO EC cell and other pertinent data on Figure 1 or a similar form.

13.2.1 *Interference Response.* The combined NO and NO₂ interference response should be less than or equal to ±5 percent of the up-scale CO calibration gas concentration.

13.3 *Repeatability Check.* Conduct the following check once for each nominal range that is to be used on the CO EC cell within 5 days prior to each field sampling program. If a field sampling program lasts longer than 5 days, repeat this check every 5 days. Immediately repeat the check if the EC cell is replaced or if the EC cell is exposed to gas concentrations greater than 150 percent of the highest up-scale gas concentration.

13.3.1 *Repeatability Check Procedure.* Perform a complete EC cell sampling run (all three phases) by introducing the CO calibration gas to the measurement system and record the response. Follow Section 10.1.3. Use Figure 1 to record all data. Repeat the run three times for a total of four complete runs. During the four repeatability check runs, do not adjust the system except where necessary to achieve the correct calibration gas flow rate at the analyzer.

13.3.2 *Repeatability Check Calculations.* Determine the highest and lowest average “measurement data phase” CO concentrations from the four repeatability check runs and record the results on Figure 1 or a similar form. The absolute value of the difference between the maximum and minimum average values recorded must not vary more than ±3 percent or ±1 ppm of the up-scale gas value, whichever is less restrictive.

14.0 *Pollution Prevention (Reserved)*

15.0 *Waste Management (Reserved)*

16.0 *Alternative Procedures (Reserved)*

17.0 *References*


Table 1: Appendix A—Sampling Run Data.

<table>
<thead>
<tr>
<th>Facility</th>
<th>Engine I.D.</th>
<th>Date</th>
<th>Run Type:</th>
<th>Pre-Sample Calibration</th>
<th>Stack Gas Sample</th>
<th>Post-Sample Cal. Check</th>
<th>Repeatability Check</th>
<th>Time</th>
<th>Scrub. OK</th>
<th>Flow- Rate</th>
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<tbody>
<tr>
<td>()</td>
<td>()</td>
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<tr>
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<tr>
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<tr>
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<td>()</td>
<td>()</td>
<td>()</td>
<td>()</td>
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[78 FR 6721, Jan. 30, 2013]
Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Federally Enforceable State Operating Permit (FESOP) Renewal with New Source Review (NSR)

Source Description and Location

<table>
<thead>
<tr>
<th>Source Name:</th>
<th>Accra-Pak, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source Location:</td>
<td>1919 Superior Street, Elkhart, Indiana 46516</td>
</tr>
<tr>
<td>County:</td>
<td>Elkhart</td>
</tr>
<tr>
<td>SIC Code:</td>
<td>7389 (Business Services; Not Elsewhere Classified) 2844 (Perfumes, Cosmetics, and Other Toilet Preparations) 2834 (Pharmaceutical Preparations)</td>
</tr>
<tr>
<td>Permit Renewal No.:</td>
<td>F039-41619-00050</td>
</tr>
<tr>
<td>Permit Reviewer:</td>
<td>Andrea M. Smith</td>
</tr>
</tbody>
</table>

On June 27, 2019, Accra-Pak, Inc. submitted an application to the Office of Air Quality (OAQ) requesting to renew its operating permit. OAQ has reviewed the operating permit renewal application from Accra-Pak, Inc. relating to the operation of a stationary consumer product packaging plant, with no propellant filling operations and rejected VOC-containing containers shipped off-site. Accra-Pak, Inc. was issued its FESOP (transition from an MSOP) (F039-34629-00050) on April, 7, 2015.

In addition to the renewal, Accra-Pak, Inc. also proposes to install new equipment. This TSD will address both the renewal and approval to construct and operate the new equipment.

Existing Approvals

The source was issued FESOP No. F039-34629-00050 on April 7, 2015. The source has since received the following approval:

Administrative Amendment No. 039-36076-00050 on September 10, 2015.

All terms and conditions of previous permits issued pursuant to permitting programs approved into the State Implementation Plan have been either incorporated as originally stated, revised, or deleted by this permit. All previous registrations and permits are superseded by this permit.

Emission Units and Pollution Control Equipment

The source consists of the following permitted emission units:

(a) Three (3) Liquid Product Lines, each constructed in 1999, uncontrolled, venting inside, and consisting of three (3) liquid product filling operations, identified as Lines 21A, 21B and Line 31, with a total maximum throughput rate of 1,012.5 gal/hour.

(b) Four (4) Tube/ Stick/Other Product Lines, each constructed in 1999, venting inside, uncontrolled, and consisting of four (4) filling operations, identified as Lines 23, 24, 26, and 28, with a total maximum throughput rate of 476.6 gal/hour.

(c) One (1) Corporate Aerosol Line, identified as Line 40, constructed in 1999 and modified in 2012, with a maximum production rate of 1,478 gallons per hour, and 19,500 cans per hour, uncontrolled, and venting inside.

(d) Three (3) Frontier Lines, identified as follows, each constructed in 2012 and modified in 2013 to adjust for size distribution, uncontrolled, and venting inside.
(e) Three (3) Radar Lines, identified as follows, each with a maximum production of 1,615 gallons per hour and 19,500 cans per hour, uncontrolled, and venting inside.

<table>
<thead>
<tr>
<th>Radar Lines</th>
<th>Maximum Throughput (cans/hr)</th>
<th>Construction Date</th>
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</thead>
<tbody>
<tr>
<td>R-1</td>
<td>19500</td>
<td>2013</td>
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<tr>
<td>R-2</td>
<td>19500</td>
<td>2013</td>
</tr>
<tr>
<td>R-3</td>
<td>19500</td>
<td>2013</td>
</tr>
</tbody>
</table>

(f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:

<table>
<thead>
<tr>
<th>Tank ID</th>
<th>Maximum storage capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum storage capacity (gallons)</th>
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<td>11</td>
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<td>Tank 107-3</td>
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<tr>
<td>21BT6</td>
<td>200</td>
<td>10</td>
<td>500</td>
<td>9</td>
<td>3,800</td>
</tr>
<tr>
<td>MT#2</td>
<td>300</td>
<td>107-1</td>
<td>1,060</td>
<td>31-5</td>
<td>10,000</td>
</tr>
<tr>
<td>C</td>
<td>400</td>
<td>107-2</td>
<td>1,060</td>
<td>31-6</td>
<td>10,000</td>
</tr>
<tr>
<td>D</td>
<td>400</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

(g) Eleven (11) Holding Tanks (Run Tanks), identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:

<table>
<thead>
<tr>
<th>Tank ID</th>
<th>Maximum storage capacity (gallons)</th>
<th>Tank ID</th>
<th>Maximum storage capacity (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>125</td>
<td>12</td>
<td>1,360</td>
</tr>
<tr>
<td>1231</td>
<td>175</td>
<td>13</td>
<td>1,360</td>
</tr>
<tr>
<td>16</td>
<td>200</td>
<td>14</td>
<td>1,360</td>
</tr>
<tr>
<td>K</td>
<td>250</td>
<td>21BT7</td>
<td>1,360</td>
</tr>
<tr>
<td>OBT02</td>
<td>500</td>
<td>21BT8</td>
<td>1,360</td>
</tr>
<tr>
<td>Tank L</td>
<td>500</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

(h) Seven (7) Volatile Organic Liquid (VOL) Storage Tanks, identified as follows, constructed between 1999 and 2012, uncontrolled, and venting inside:
<table>
<thead>
<tr>
<th>Tank ID</th>
<th>storage capacity (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>31-1</td>
<td>10,000</td>
</tr>
<tr>
<td>31-2</td>
<td>10,000</td>
</tr>
<tr>
<td>31-3</td>
<td>8,000</td>
</tr>
<tr>
<td>31-4</td>
<td>8,000</td>
</tr>
<tr>
<td>S-1</td>
<td>6,500</td>
</tr>
<tr>
<td>SA-3</td>
<td>6,000</td>
</tr>
<tr>
<td>SA-4</td>
<td>6,000</td>
</tr>
</tbody>
</table>

(i) Five (5) Natural Gas-Fired Boilers, identified as follows, uncontrolled, and venting inside:

<table>
<thead>
<tr>
<th>Boilers ID</th>
<th>Maximum Heat Input Capacity MMBtu/hr</th>
<th>Construction Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boiler #1</td>
<td>10.06</td>
<td>1968</td>
</tr>
<tr>
<td>Boiler #2</td>
<td>10.06</td>
<td>1968</td>
</tr>
<tr>
<td>Boiler #3</td>
<td>10.06</td>
<td>1968</td>
</tr>
<tr>
<td>Boiler #4</td>
<td>5.03</td>
<td>1968</td>
</tr>
<tr>
<td>B125H-4</td>
<td>4.18</td>
<td>2015</td>
</tr>
</tbody>
</table>

(j) One (1) 208 hp emergency diesel-fired compression ignition Fire Pump Engine, identified as E1, and installed in 1994.

Under 40 CFR 63, Subpart ZZZZ, E1 is considered existing RICE.

Insignificant Activities

The source also consists of the following insignificant activities:

(a) One (1) Can Punch-Out Process for containers containing no VOC and HAPs.

(b) One (1) 208 hp emergency diesel-fired compression ignition Fire Pump Engine, identified as E1, and installed in 1994.

Under 40 CFR 63, Subpart ZZZZ, E1 is considered existing RICE.

Enforcement Issue

There are no enforcement actions pending.

Emission Calculations

See Appendix A of this Technical Support Document for detailed emission calculations.

County Attainment Status

The source is located in Elkhart County.
### Pollutant Designation

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>SO₂</td>
<td>Better than national standards.</td>
</tr>
<tr>
<td>CO</td>
<td>Unclassifiable or attainment effective November 15, 1990.</td>
</tr>
<tr>
<td>O₃</td>
<td>Unclassifiable or attainment effective July 20, 2012, for the 2008 8-hour ozone standard.¹</td>
</tr>
<tr>
<td>PM₂.₅</td>
<td>Unclassifiable or attainment effective April 15, 2015, for the 2012 annual PM₂.₅ standard.</td>
</tr>
<tr>
<td>PM₂.₅</td>
<td>Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM₂.₅ standard.</td>
</tr>
<tr>
<td>PM₁₀</td>
<td>Unclassifiable effective November 15, 1990.</td>
</tr>
<tr>
<td>NO₂</td>
<td>Unclassifiable or attainment effective January 29, 2012, for the 2010 NO₂ national standards.</td>
</tr>
<tr>
<td>Pb</td>
<td>Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.</td>
</tr>
</tbody>
</table>

¹ Attainment effective October 18, 2000, for the 1-hour ozone standard for the South Bend-Elkhart area, including Elkhart County, and is a maintenance area for the 1-hour National Ambient Air Quality Standards (NAAQS) for purposes of 40 CFR 51, Subpart X. The 1-hour standard was revoked effective June 15, 2005.

### Ozone Standards
Volatile organic compounds (VOC) and Nitrogen Oxides (NOₓ) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NOₓ emissions are considered when evaluating the rule applicability relating to ozone. Elkhart County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NOₓ emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

### PM₂.₅
Elkhart County has been classified as attainment for PM₂.₅. Therefore, direct PM₂.₅, SO₂, and NOₓ emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

### Other Criteria Pollutants
Elkhart County has been classified as attainment or unclassifiable in Indiana for all the other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

### Fugitive Emissions
Since this type of operation is not one (1) of the twenty-eight (28) listed source categories under 326 IAC 2-2-1(ff)(1), 326 IAC 2-3-2(g), or 326 IAC 2-7-1(22)(B), and there is no applicable New Source Performance Standard or National Emission Standard for Hazardous Air Pollutants that was in effect on August 7, 1980, fugitive emissions are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

Although the source performs chemical filling and mixing processes, it does not manufacture products by chemical processes. Therefore, it is not considered chemical process plant listed under twenty-eight (28) source categories under 326 IAC 2-2, 326 IAC 2-3, or 326 IAC 2-7.

The fugitive emissions of hazardous air pollutants (HAP) are counted toward the determination of Part 70 Permit applicability and source status under Section 112 of the Clean Air Act (CAA).

### Greenhouse Gas (GHG) Emissions
On June 23, 2014, in the case of Utility Air Regulatory Group v. EPA, cause no. 12-1146, (available at [http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf](http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf)) the United States Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting
decisions in light of the Supreme Court’s decision. U.S. EPA’s guidance states that U.S. EPA will no longer require PSD or Title V permits for sources “previously classified as ‘Major’ based solely on greenhouse gas emissions.”

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHG emissions to determine operating permit applicability or PSD applicability to a source or modification.

**Source Status - Existing Source**

The table below summarizes the potential to emit of the entire source, prior to the proposed revision, after consideration of all enforceable limits established in the effective permits. If the control equipment has been determined to be integral, the table reflects the potential to emit (PTE) after consideration of the integral control device.

<table>
<thead>
<tr>
<th>Source-Wide Emissions Prior to Revision</th>
<th>PM¹</th>
<th>PM₁₀³</th>
<th>PM₂.⁵¹,₂</th>
<th>SO₂</th>
<th>NOₓ</th>
<th>VOC</th>
<th>CO</th>
<th>Single HAP³</th>
<th>Total HAPs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total PTE of Entire Source Excluding Fugitive Emissions</strong></td>
<td>.29</td>
<td>1.29</td>
<td>1.29</td>
<td>0.09</td>
<td>18.50</td>
<td>99.04</td>
<td>14.33</td>
<td>9.61</td>
<td>24.42</td>
</tr>
<tr>
<td><strong>Title V Major Source Thresholds</strong></td>
<td>NA</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>10</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td><strong>PSD Major Source Thresholds</strong></td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>--</td>
<td>--</td>
</tr>
</tbody>
</table>

¹Under the Part 70 Permit program (40 CFR 70), PM₁₀ and PM₂.⁵, not particulate matter (PM), are each considered as a "regulated air pollutant."
²PM₂.⁵ listed is direct PM₂.⁵.
³Single highest source-wide HAP
*Fugitive HAP emissions are always included in the source-wide emissions.

(a) This existing source is not a major stationary source, under PSD (326 IAC 2-2), because no PSD regulated pollutant is emitted at a rate of two hundred fifty (250) tons per year or more and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1).

(b) This existing source is not a major source of HAP, as defined in 40 CFR 63.2, because HAP emissions are less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs.

(c) These emissions are based on the TSD of Administrative Amendment No. 039-36076-00050, issued on September 10, 2015.

**Description of Proposed Revision at an Existing Source**

The Office of Air Quality (OAQ) has reviewed an application, submitted by Accra-Pak, Inc. on June 27, 2019, relating to the following:

(a) Changing the company name throughout the permit as follows:

   APG, Inc. Accra-Pac, Inc.

(b) Constructing one (1) line within its Radar line operations:

   (1) One (1) Radar Line, identified as R-4, approved in 2019 for construction, with a maximum production of 1,615 gallons per hour and 19,500 cans per hour each, uncontrolled, and venting inside.
(c) Removing two (2) lines from the Tube/Stick/Other Filling Lines operations:

(1) Two (2) Tube/Stick/Other Product Lines, identified as Line 33 and Line 41, each constructed in 1999, venting inside, without control, with a total maximum throughput rate of 104.3 gal/hour.

### Emission Units and Pollution Control Equipment

**Constructed Under the Provisions of 326 IAC 2-1.1-3 (Exemptions)**

As part of this permitting action, the source requested to add the following existing emission units constructed under the provisions of 326 IAC 2-1.1-3 (Exemptions):

(a) One (1) Tube/Stick/Other Product Line, constructed in 1999, venting inside, without control, and consisting of one (1) filling operation, identified as Line 20, with a total maximum throughput rate of 62.5 gal/hour.

Line 20 was constructed in 1999, but only added to the permit during this renewal. Line 20 is under exemption levels at PTE VOC less than ten (10) tons per year.

(b) One (1) natural gas powered, spark ignition Emergency Generator with a maximum capacity of 40 kilowatt (53.64 horsepower), identified as E2, constructed in August 2010, exhausting to the atmosphere.

Under 40 CFR 60, Subpart JJJJ, E2 is considered an emergency SI ICE.

Under 40 CFR 63, Subpart ZZZZ, E2 is considered a new RICE.

The total potential to emit of the emission units is less than levels specified at 326 IAC 2-1.1-3(e)(1)(A) through (G) and the addition of the emission units did not require the source to transition to a higher operation permit level. Therefore, pursuant to 326 IAC 2-1.1-3(e), the permit revision requirements under 326 IAC 2-8-11.1, including the requirement to submit an application, do not apply to the emission units. See Appendix A of this Technical Support Document for detailed emission calculations.

### Permit Level Determination – FESOP Significant Permit Revision

Pursuant to 326 IAC 2-1.1-1(12), Potential to Emit is defined as “the maximum capacity of a stationary source or emission unit to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U. S. EPA, IDEM, or the appropriate local air pollution control agency.”

The following table is used to determine the appropriate permit level under 326 IAC 2-8-11.1 (Permit Revisions). This table reflects the PTE before controls of the proposed revision. If the control equipment has been determined to be integral, the table reflects the potential to emit (PTE) after consideration of the integral control device.
Appendix A of this TSD reflects the detailed potential emissions of the proposed revision.

Pursuant to 326 IAC 2-8-11.1(f)(1)(E), this FESOP is being revised through a FESOP Significant Permit Revision because the proposed revision is not an Administrative Amendment or Minor Permit revision and the proposed revision involves the construction of new emission units with potential to emit greater than or equal to twenty-five (25) tons per year of Volatile Organic Compounds (VOC).

(a) Pursuant to 326 IAC 2-8-11.1(f)(1)(G), this FESOP is being revised through a FESOP Significant Permit Revision because the proposed revision is not an Administrative Amendment or Minor Permit revision and the proposed revision has a potential to emit greater than or equal to ten (10) tons per year of a single HAP and/or twenty-five (25) tons per year of any combination of HAPs.

Unrestricted Potential Emissions

This table reflects the unrestricted potential emissions of the source.

Appendix A of this TSD reflects the detailed unrestricted potential emissions of the source.

(a) The potential to emit (as defined in 326 IAC 2-7-1(30)) of VOC is equal to or greater than 100 tons per year. However, the Permittee has agreed to limit the source’s VOC emissions to less than Title V major source thresholds. Therefore, the source will be issued a FESOP Renewal.

(b) The potential to emit (as defined in 326 IAC 2-7-1(30)) of all other criteria pollutants are less than 100 tons per year.
The potential to emit (as defined in 326 IAC 2-7-1(30)) of any single HAP is equal to or greater than ten (10) tons per year and/or the potential to emit (as defined in 326 IAC 2-7-1(30)) of a combination of HAPs is equal to or greater than twenty-five (25) tons per year. However, the source will be issued FESOP Renewal because the source will limit HAP emissions to less than the Title V major source threshold levels. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA) subject to the provisions of 326 IAC 2-7.

### Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any new control equipment is considered federally enforceable only after issuance of this FESOP renewal, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

<table>
<thead>
<tr>
<th>Potential To Emit of the Entire Source After Issuance of Renewal (tons/year)</th>
<th>PM$^1$</th>
<th>PM$_{10}$$^1$</th>
<th>PM$_{2.5}$$^{1,2}$</th>
<th>SO$_2$</th>
<th>NO$_x$</th>
<th>VOC</th>
<th>CO</th>
<th>Single HAP$^3$</th>
<th>Total HAPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total PTE of Entire Source Excluding Fugitive Emissions*</td>
<td>0.29</td>
<td>1.16</td>
<td>1.16</td>
<td>0.09</td>
<td>16.84</td>
<td>98.94</td>
<td>12.84</td>
<td>9.58</td>
<td>24.39</td>
</tr>
<tr>
<td>Title V Major Source Thresholds</td>
<td>NA</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>10</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>PSD Major Source Thresholds</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>250</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
</tbody>
</table>

*Under the Part 70 Permit program (40 CFR 70), PM$_{10}$ and PM$_{2.5}$, not particulate matter (PM), are each considered as a regulated air pollutant.

1PM$_{2.5}$ listed is direct PM$_{2.5}$.

2Single highest source-wide HAP.

*Fugitive HAP emissions are always included in the source-wide emissions.

Appendix A of this TSD reflects the detailed potential to emit of the entire source after issuance.

The source opted to take limits in order to render the requirements of 326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) not applicable to this source and to render the source an area source of HAP emissions under Section 112 of the Clean Air Act (CAA). See Technical Support Document (TSD) State Rule Applicability - Entire Source section, 326 IAC 2-8 (FESOP), 326 IAC 2-2 (PSD), and 326 IAC 2-3 (Emission Offset), and 326 IAC 20 (Hazardous Air Pollutants) for more information regarding the limits.

(a) This existing source is not a major stationary source, under PSD (326 IAC 2-2), because no PSD regulated pollutant is emitted at a rate of two hundred fifty (250) tons per year or more and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1).

(b) This source is not a major source of HAP, as defined in 40 CFR 63.2, because HAP emissions are less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs. Therefore, this source is an area source under Section 112 of the Clean Air Act (CAA).

### Federal Rule Applicability

Federal rule applicability for this source has been reviewed as follows:

**New Source Performance Standards (NSPS):**

(a) The requirements of the New Source Performance Standard for Fossil-Fuel-Fired Steam Generators, 40 CFR 60, Subpart D and 326 IAC 12, are not included in the permit for the four (4) Natural Gas-Fired Boilers (Boilers #1, #2, #3, #4) because they were constructed before the applicability date August 17, 1971.
(b) The requirements of the New Source Performance Standard for Fossil-Fuel-Fired Steam Generators, 40 CFR 60, Subpart D and 326 IAC 12, are not included in the permit for Natural Gas-Fired Boiler (Boiler B125H-4) because Boiler B125H-4 has a heat input of less than 250 MMBtu/hr.

(c) The requirements of the New Source Performance Standard for Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart Db and 326 IAC 12, are not included in the permit for the four (4) Natural Gas-Fired Boilers (Boilers #1, #2, #3, #4) because the units have a heat input capacity of less than 100 MMBtu/hr and they were constructed before the applicability date of June 19, 1984.

(d) The requirements of the New Source Performance Standard for Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart Db and 326 IAC 12, are not included in the permit for Natural Gas-Fired Boiler (Boiler B125H-4) because Boiler 125H-4 has a heat input capacity of less than 100 MMBtu/hr.

(e) The requirements of the New Source Performance Standard for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart Dc and 326 IAC 12, are not included in the permit for the four (4) Natural Gas-Fired Boilers (Boilers #1, #2, #3, #4) because the units were constructed before the applicability date June 9, 1989.

(f) The requirements of the New Source Performance Standard for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart Dc and 326 IAC 12, are not included in the permit for Natural Gas-Fired Boiler (Boiler B125H-4) because Boiler B125H-4 has a heat input capacity of less than 10 MMBtu/hr.

(g) The requirements of the New Source Performance Standard for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced after June 11, 1973, and Prior to May 19, 1978, 40 CFR 60, Subpart K and 326 IAC 12, are not included in the permit for the twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), eleven (11) Holding Tanks (Run Tanks), or seven (7) Storage Tanks because the vessels were constructed after May 19, 1978.

(h) The requirements of the New Source Performance Standard for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced after May 18, 1978, and Prior to July 23, 1984, 40 CFR 60, Subpart Ka and 326 IAC 12, are not included in the permit for the twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), eleven (11) Holding Tanks (Run Tanks), or seven (7) Storage Tanks because the vessels were constructed after July 23, 1984.

(i) The requirements of the New Source Performance Standard for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984, 40 CFR 60, Subpart Kb and 326 IAC 12, are not included in the permit for the twenty-five (25) Compounding/Mixing Tanks (Batch Tanks), eleven (11) Holding Tanks (Run Tanks), or seven (7) Storage Tanks because the vessels each have a design capacity of less than 19,800 gallons.

(j) The requirements of the New Source Performance Standard for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations 40 CFR 60, Subpart NNN and 326 IAC 12, are not included in the permit for this source because the lines do not do not involve any chemical or compound production.

(k) The requirements of the New Source Performance Standard for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes, 40 CFR 60, Subpart RRR and 326 IAC 12, are not included in the permit for this source because the lines do not involve any chemical or compound production.
The requirements of the New Source Performance Standard for Stationary Compression Ignition Internal Combustion Engines, 40 CFR 60, Subpart III and 326 IAC 12, are not included in the permit for the Fire Pump Engine because the Fire Pump Engine was constructed before the applicability date July 11, 2005.

The Emergency Generator E2 is subject to the New Source Performance Standards for Emergency Spark Ignition Internal Combustion Engines, 40 CFR 60, Subpart JJJJ and 326 IAC 12, because it is an engine between 25 and 100 HP (except gasoline and rich burn liquefied petroleum gas) that commenced construction after June 12, 2006 and was manufactured after January 1, 2009.

The Emergency Generator E2 is subject to the following portions of Subpart JJJJ:

1. 40 CFR 60.4230(a)(4)(iv), (a)(6), and (c),
2. 40 CFR 60.4233(d), and (h)
3. 40 CFR 60.4234
4. 40 CFR 60.4236(c)
5. 40 CFR 60.4237(c)
6. 40 CFR 60.4243(b)(1), (d)(1), (d)(2)(i), (d)(3), and (e)
7. 40 CFR 60.4244
8. 40 CFR 60.4245(a)(1), (a)(2), (a)(3), (b), (d), and (e)
9. 40 CFR 60.4246
10. 40 CFR 60.4248
11. Table 1 to Subpart JJJJ
12. Table 3 to Subpart JJJJ

The requirements of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated as 326 IAC 12-1, apply to the Emergency Generator E2 except as otherwise specified in 40 CFR 60, Subpart JJJJ.

Based on this evaluation, this source is subject to 40 CFR 60, Subpart JJJJ. On May 4, 2016, the U.S. Court of Appeals for the D.C. Circuit issued a mandate vacating paragraphs 40 CFR 60.4243(d)(2)(ii) - (iii) of NSPS Subpart JJJJ. Therefore, these paragraphs no longer have any legal effect and any engine that is operated for purposes specified in these paragraphs becomes a non-emergency engine and must comply with all applicable requirements for a non-emergency engine.

For additional information, please refer to the USEPA’s Guidance Memo: https://www.epa.gov/sites/production/files/2016-06/documents/ricevacaturguidance041516.pdf

Since the federal rule has not been updated to remove these vacated requirements, the text below shows the vacated language as strikethrough text. At this time, IDEM is not making any changes to the permit’s attachment due to this vacatur. However, the permit will not reference the vacated requirements, as applicable.

40 CFR 60.4243(d)(2) You may operate your emergency stationary ICE for any combination of the purposes specified in paragraphs (d)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (d)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (d)(2).
Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

There are no other New Source Performance Standards (40 CFR Part 60) and 326 IAC 12 included in the permit.

National Emission Standards for Hazardous Air Pollutants (NESHAP):

The diesel-fired Emergency Fire Pump Engine (E1) (208 HP) is subject to the requirements of the 40 CFR 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (326 IAC 20-82), because it is considered an existing stationary reciprocating internal combustion engine (RICE) (construction commenced before June 12, 2006) at an area source of hazardous air pollutants (HAP). Construction of the diesel-fired Emergency Fire Pump Engine (E1) commenced in 1994.

The diesel-fired Emergency Fire Pump Engine (E1) is subject to the following applicable portions of the NESHAP for existing emergency stationary RICE (construction commenced before June 12, 2006) at an area source of HAP:

(1) 40 CFR 63.6580
(2) 40 CFR 63.6585
(3) 40 CFR 63.6590(a)(1)(iii) and (iv)
(4) 40 CFR 63.6595(a)(1), (b), and (c)
(5) 40 CFR 63.6603(a)
(6) 40 CFR 63.6605
(7) 40 CFR 63.6625(e)(3), (f), (h), and (i)
(8) 40 CFR 63.6640(a), (b), (e), (f)(1), (f)(2)(i), and (f)(4)
(9) 40 CFR 63.6645(a)(5)
(10) 40 CFR 63.6650
(11) 40 CFR 63.6655
(12) 40 CFR 63.6660
(13) 40 CFR 63.6665
(14) 40 CFR 63.6670
(15) 40 CFR 63.6675
(16) Table 2d (item 4)
(17) Table 6 (item 9)
(18) Table 8

Note: Existing emergency compression ignition (CI) stationary RICE located at an area source of HAP are not subject to numerical CO or formaldehyde emission limitations, but are only subject to work and management practices under Table 2d and Table 6.
The requirements of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated as 326 IAC 20-1, apply to the source except as otherwise specified in 40 CFR 63, Subpart ZZZZ.

Based on the existing permit, this source is subject to 40 CFR 63, Subpart ZZZZ. On May 4, 2016, the U.S. Court of Appeals for the D.C. Circuit issued a mandate vacating paragraphs 40 CFR 63.6640(f)(2)(ii) and (iii) of NESHAP Subpart ZZZZ. Therefore, these paragraphs no longer have any legal effect and any engine that is operated for purposes specified in these paragraphs becomes a non-emergency engine and must comply with all applicable requirements for a non-emergency engine.

For additional information, please refer to the USEPA’s Guidance Memo: https://www.epa.gov/sites/production/files/2016-06/documents/ricevacaturguidance041516.pdf

Since the federal rule has not been updated to remove these vacated requirements, the text below shows the vacated language as strikethrough text. At this time, IDEM is not making any changes to the permit’s attachment due to this vacatur. However, the permit will not reference the vacated requirements, as applicable.

40 CFR 63.6640(f)(2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

(ii) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

The natural gas-fired Emergency Generator (E2) (53.64 HP) is subject to the requirements of the 40 CFR 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (326 IAC 20-82), because it is considered a new (construction commenced on or after June 12, 2006) stationary reciprocating internal combustion engine (RICE) at an area source of hazardous air pollutants (HAP). Construction of the natural gas-fired Emergency Generator (E2) commenced in August 2010.

The natural gas-fired Emergency Generator (E2) is subject to the following applicable portions of the NESHAP for new stationary RICE at an area source of HAP:
Pursuant to 40 CFR 63.6665, the natural gas-fired Emergency Generator (E2) does not have to meet the requirements of 40 CFR 63, Subpart A (General Provisions), since it is considered a new stationary RICE located at an area source of HAP emissions.

The requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Industrial, Commercial, and Institutional Boilers Area Sources, 40 CFR 63, Subpart JJJJJJJ are not included in the permit for the five (5) Natural Gas-Fired Boilers, since they are considered gas-fired boilers which are exempt under 40 CFR 63.11195(e).

The requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Chemical Manufacturing Area Sources, 40 CFR 63, Subpart VVVVVVV are not included in the permit for this source, since it does not manufacture any products that contain the HAPs listed in Table 1 of this subpart.

The requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Area Sources: Chemical Preparations Industry, 40 CFR 63, Subpart BBBBBBBB are not included in the permit for this source, since it does not manufacture any products that contain target HAPs.

There are no other National Emission Standards for Hazardous Air Pollutants under 40 CFR 63, 326 IAC 14 and 326 IAC 20 included in the permit.

**Compliance Assurance Monitoring (CAM):**

Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is not included in the permit, because the potential to emit of the source is limited to less than the Title V major source thresholds and the source is not required to obtain a Part 70 or Part 71 permit.

**State Rule Applicability - Entire Source**

State rule applicability for this source has been reviewed as follows:

**326 IAC 2-2 (PSD)**

PSD applicability is discussed under the Potential to Emit After Issuance section of this document.

The source still has unlimited VOC PTE of greater than 250 tons per year. The existing permit has the following VOC limit to render 326 IAC 2-2 not applicable and being revised in this renewal to include the new emissions units.

The total VOC emissions from the following shall not exceed ninety-seven (97) tones per twelve (12) consecutive month period with compliance determined at the end of each month:

1. Three (3) Liquid Product Lines
2. Five (5) Tube/Stick/Other Product Lines
3. One (1) Corporate Aerosol Line
4. Three (3) Frontier Lines
5. Four (4) Radar Lines
6. Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks)
7. Eleven (11) Holding Tanks (Run Tanks)
This is the same VOC limit in order to render 326 IAC 2-7 not applicable.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))
The provisions of 326 IAC 2-4.1 apply to any owner or operator who constructs or reconstructs a major source of hazardous air pollutants (HAP), as defined in 40 CFR 63.41, after July 27, 1997, unless the major source has been specifically regulated under or exempted from regulation under a NESHAP that was issued pursuant to Section 112(d), 112(h), or 112(j) of the Clean Air Act (CAA) and incorporated under 40 CFR 63. On and after June 29, 1998, 326 IAC 2-4.1 is intended to implement the requirements of Section 112(g)(2)(B) of the Clean Air Act (CAA).

The operation of this source will continue to be limited to less than ten (10) tons per year for a single HAP and less than twenty-five (25) tons per year for a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

See HAPs limits below for details.

326 IAC 2-6 (Emission Reporting)
This source is not subject to 326 IAC 2-6 (Emission Reporting) because it is not required to have an operating permit pursuant to 326 IAC 2-7 (Part 70); it is not located in Lake, Porter, or LaPorte County, and its potential to emit lead is less than 5 tons per year. Therefore, this rule does not apply.

326 IAC 2-8-4 (FESOP) and 326 IAC 20 (Hazardous Air Pollutants)
FESOP applicability is discussed under the Potential to Emit After Issuance section of this document.

FESOP VOC Limit(s)

The source still has unlimited VOC PTE of greater than 100 tons per year. The existing permit has the following VOC limit to render 326 IAC 2-7 not applicable and is being revised in this renewal to include the new emissions units.

(a) The total VOC emissions from the following shall not exceed ninety-seven (97) tones per twelve (12) consecutive month period with compliance determined at the end of each month:

(1) Three (3) Liquid Product Lines
(2) Five (5) Tube/Stick/Other Product Lines
(3) One (1) Corporate Aerosol Line
(4) Three (3) Frontier Lines
(5) Four (4) Radar Lines
(6) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks)
(7) Eleven (11) Holding Tanks (Run Tanks)

Compliance with these limits, combined with the potential to emit VOC from all other emission units at this source, shall limit the source-wide total potential to emit of VOC to less than 100 tons per twelve (12) consecutive month period, and shall render the requirements of 326 IAC 2-7 (Part 70 Permits) not applicable.

FESOP HAP Limit(s)
The source still has unlimited HAPs of 10 tons per year for single HAP and 25 tons per HAPs for total HAPs. The existing permit has the following limits and being revised in this renewal to include the new emissions units.

(a) The total single HAP emissions from the following shall not exceed eight and five tenths (8.5) tons per twelve (12) consecutive month period with compliance determined at the end of each month:

(1) Three (3) Liquid Product Lines
(2) Five (5) Tube/Stick/Other Product Lines
(3) One (1) Corporate Aerosol Line
(4) Three (3) Frontier Lines
(5) Four (4) Radar Lines
(6) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks)
(7) Eleven (11) Holding Tanks (Run Tanks)

(b) The combined HAPs emissions from the following shall not exceed twenty-three and three tenths (23.3) tons per twelve (12) consecutive month period with compliance determined at the end of each month:

(1) Three (3) Liquid Product Lines
(2) Five (5) Tube/Stick/Other Product Lines
(3) One (1) Corporate Aerosol Line
(4) Three (3) Frontier Lines
(5) Four (4) Radar Lines
(6) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks)
(7) Eleven (11) Holding Tanks (Run Tanks)

Compliance with these limits, combined with the potential to emit HAP from all other emission units at the source, shall limit the source-wide potential to emit single HAP to less than 10 tons per twelve (12) consecutive month period and the source-wide potential to emit total HAPs to less than 25 tons per twelve (12) consecutive month period, and shall render the source an area source of HAP emissions under Section 112 of the Clean Air Act (CAA) and shall render the requirements of 326 IAC 2-7 (Part 70 Permits) not applicable.

326 IAC 5-1 (Opacity Limitations)
This source is subject to the opacity limitations specified in 326 IAC 5-1-2(1).

326 IAC 6-4 (Fugitive Dust Emissions Limitations)
Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), the source shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4.

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)
This source is not subject to the requirements of 326 IAC 6-5, because the source has potential fugitive particulate emissions of less than twenty-five (25) tons per year.

326 IAC 6.5 (Particulate Matter Limitations Except Lake County)
Pursuant to 326 IAC 6.5-1-1(a), this source (located in Elkhart County) is not subject to the requirements of 326 IAC 6.5 because it is not located in one of the following counties: Clark, Dearborn, Dubois, Howard, Marion, St. Joseph, Vanderburgh, Vigo or Wayne.

326 IAC 6.8 (Particulate Matter Limitations for Lake County)
Pursuant to 326 IAC 6.8-1-1(a), this source (located in Elkhart County) is not subject to the requirements of 326 IAC 6.8 because it is not located in Lake County.

326 IAC 6.8 (Lake County: Fugitive Particulate Matter)
Pursuant to 326 IAC 6.8-10-1, this source (located in Elkhart County) is not subject to the requirements of 326 IAC 6.8-10 because it is not located in Lake County.
State Rule Applicability – Individual Facilities

State rule applicability has been reviewed as follows:

Filling and Compounding:

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)
The filling and compounding units are not subject to the requirements of 326 IAC 8-1-6 because they are regulated by other rules in 326 IAC 8. The filling and compounding units are subject to the requirements of 326 IAC 8-15.

326 IAC 8-9 (Volatile Organic Liquid Storage Vessels)
The source is not subject to the requirements of 326 IAC 8-9 (Volatile Organic Liquid Storage Vessels) because this source is not located in Clark, Floyd, Lake, or Porter County.

326 IAC 8-15 (Standards for Consumer and Commercial Products)
This source is still subject to 326 IAC 8-15. The following units are subject to 326 IAC 8-15 because the source sells, supplies, offers for sale or manufactures consumer products on or after June 1, 2011 for use in Indiana.

(a) Three (3) Liquid Product Lines
(b) Five (5) Tube/Stick/Other Product Lines
(c) One (1) Corporate Aerosol Line
(d) Three (3) Frontier Lines
(e) Four (4) Radar Lines
(f) Twenty-five (25) Compounding/Mixing Tanks (Batch Tanks)
(g) Eleven (11) Holding Tanks (Run Tanks)
(h) Seven (7) Volatile Organic Liquid (VOL) Storage Tanks

Rule 326 IAC 8-15 is extensive, therefore instead of specifying each applicable requirement, the entire rule will be part of the permit as an attachment.

Pursuant to 326 IAC 326 IAC 8-15-1, the Permittee shall comply with the following requirements (included as Attachment A of this permit):

(i) 326 IAC 8-15-1 (Applicability)
(ii) 326 IAC 8-15-2 (Definitions)
(iii) 326 IAC 8-15-3 (Standards)
(iv) 326 IAC 8-15-7 (Administrative request)
(v) 326 IAC 8-15-8 (Record keeping and reporting request)
(vi) 326 IAC 8-15-9 (Test methods)

Natural Gas-Fired Boilers:

Boilers #1, #2, #3, #4

326 IAC 6-2 (Particulate Emission Limitations for Sources of Indirect Heating)
Pursuant to 326 IAC 6-2-1(c), for indirect heating facilities existing and in operation, or received permit to construct, prior to September 21, 1983 and not located in Lake, Porter, Marion, Boone, Hamilton, Hendricks, Johnson, Morgan, Shelby, or Hancock Counties are subject to the requirements of 326 IAC 6-2-3.

The particulate matter emissions (Pt) shall be limited by the following equation:

\[ Pt = \frac{C \times a \times h}{76.5 \times Q^{0.75} \times N^{0.25}} = \frac{(50)(0.67)(25.1)}{76.5 \times (35.21^{0.75}) \times 2^{0.25}} = 0.64 \text{ lb/MMBtu} \]

Where:
Pt = Pounds of particulate matter emitted per million British thermal units (lb/MMBtu).

Q = Total source maximum operating capacity rating in MMBtu/hr heat input. The maximum operating capacity rating is defined as the maximum capacity at which the facility is operated or the nameplate capacity, whichever is specified in the facility’s permit application, except when some lower capacity is contained in the facility’s operation permit; in which case, the capacity specified in the operation permit shall be used.

C = Maximum ground level concentration with respect to distance from the point source at the “critical” wind speed for level terrain. This shall equal fifty (50) micrograms per cubic meter for a period not to exceed a sixty (60) minute time period.

a = Plume rise factor which is used to make allowance for less than theoretical plume rise. The value sixty-seven tenths (0.67) shall be used for Q less than or equal to one thousand (1,000) million British thermal units per hour heat input.

N = Number of stacks in fuel burning operation.

h = Stack height in feet. If a number of stacks of different heights exist, the average stack height to represent stacks shall be calculated by weighing each stack height with its particulate matter emission rate as follows:

\[
h = \frac{\sum_{i=1}^{N} H_i \times p_{ai} \times Q}{\sum_{i=1}^{N} p_{ai} \times Q}
\]

\[
h = \frac{(25 \times 0.0019 \times 10.06) + (25 \times 0.0019 \times 10.06) + (25 \times 0.0019 \times 10.06) + (25 \times 0.0019 \times 5.03)}{(0.0019 \times 10.06) + (0.0019 \times 10.06) + (0.0019 \times 10.06) + (0.0019 \times 5.03)} = 25.1
\]

Where:

- \( H_i \) = height of facility i stack, ft.
- \( p_{ai} \) = actual controlled emission rate of facility i, (lb/MMBtu), using an emission factor from AP-42 or stack test data. Stacks constructed after January 1, 1971, shall be credited with GEP stack height only. GEP stack height shall be calculated as specified in 326 IAC 1-7.
- \( Q \) = Heat input capacity of facility i, MMBtu/hr

Pursuant to 326 IAC 6-2-3(d), units which were existing and in operation on or before June 8, 1972, Pt shall not exceed 0.8 lb/MMBtu.

<table>
<thead>
<tr>
<th>Facility</th>
<th>Construction Date</th>
<th>Operating Capacity (MMBtu/hr)</th>
<th>Q (MMBtu/hr)</th>
<th>Calculated Pt (lb/MMBtu)</th>
<th>Particulate Limitation, (Pt) (lb/MMBtu)</th>
<th>PM PTE based on AP-42 (lb/MMBtu)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boiler #1</td>
<td>1968</td>
<td>10.06</td>
<td>35.21</td>
<td>0.64</td>
<td>0.8</td>
<td>0.002</td>
</tr>
<tr>
<td>Boiler #2</td>
<td>1968</td>
<td>10.06</td>
<td>35.21</td>
<td>0.64</td>
<td>0.8</td>
<td>0.002</td>
</tr>
<tr>
<td>Boiler #3</td>
<td>1968</td>
<td>10.06</td>
<td>35.21</td>
<td>0.64</td>
<td>0.8</td>
<td>0.002</td>
</tr>
</tbody>
</table>
Indirect Heating Units Which Were Existing and in Operation On or Before June 8, 1972

<table>
<thead>
<tr>
<th>Facility</th>
<th>Construction Date</th>
<th>Operating Capacity (MMBtu/hr)</th>
<th>Q (MMBtu/hr)</th>
<th>Calculated Pt (lb/MMBtu)</th>
<th>Particulate Limitation, Pt (lb/MMBtu)</th>
<th>PM PTE based on AP-42 (lb/MMBtu)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boiler #4</td>
<td>1968</td>
<td>5.03</td>
<td>35.21</td>
<td>0.64</td>
<td>0.8</td>
<td>0.002</td>
</tr>
</tbody>
</table>

The calculated values for Pt are based on the AP-42 emission factor.

Where: \( Q = \) The total source capacity rating (MMBtu/hr) of all units existing at the source on June 8, 1972.

Note: Emissions units shown in strikethrough were subsequently removed from the source.

Based on Natural Gas fuel used by the boilers, they meet the limit under 326 IAC 6-2-3(c), since they emit 0.002 lb/MMBtu, which is less than the allowable particulate matter emissions under the rule.

There is no change in the existing limit for these four (4) Natural Gas-Fired Boilers.

Boiler B125H-4

326 IAC 6-2 (Particulate Emission Limitations for Sources of Indirect Heating)

Pursuant to 326 IAC 6-2-1(d), indirect heating facilities which received permit to construct after September 21, 1983 are subject to the requirements of 326 IAC 6-2-4.

The particulate matter emissions (Pt) shall be limited by the following equation:

\[
Pt = \frac{1.09}{Q^{0.26}} = \frac{1.09}{(39.39)^{0.26}} = 0.42 \text{ lbs/MMBtu}
\]

Where:

\( Pt = \) Pounds of particulate matter emitted per million British thermal units (lb/MMBtu).

\( Q = \) Total source maximum operating capacity rating in MMBtu/hr heat input. The maximum operating capacity rating is defined as the maximum capacity at which the facility is operated or the nameplate capacity, whichever is specified in the facility’s permit application, except when some lower capacity is contained in the facility’s operation permit; in which case, the capacity specified in the operation.

Indirect Heating Units Which Began Operation After September 21, 1983

<table>
<thead>
<tr>
<th>Facility</th>
<th>Construction Date</th>
<th>Operating Capacity (MMBtu/hr)</th>
<th>Q (MMBtu/hr)</th>
<th>Calculated Pt (lb/MMBtu)</th>
<th>Particulate Limitation, Pt (lb/MMBtu)</th>
<th>PM PTE based on AP-42 (lb/MMBtu)</th>
</tr>
</thead>
<tbody>
<tr>
<td>B125H-4</td>
<td>2015</td>
<td>4.18</td>
<td>39.39</td>
<td>0.42</td>
<td>0.42</td>
<td>0.002</td>
</tr>
</tbody>
</table>

Where: \( Q = \) Includes the capacity (MMBtu/hr) of the new unit and the capacities for those units which were in operation at the source at the time the new unit was constructed.

Based on Natural Gas fuel used by the boiler, it meets the limit under 326 IAC 6-2-4(a), since it emits 0.002 lb/MMBtu, which is less than the allowable particulate matter emissions under the rule.

There is no change in the existing limit for Natural Gas-Fired Boiler B125H-4.
326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)
Pursuant to 326 IAC 6-3-1(b)(1), the five (5) Natural Gas-Fired Boilers are not subject to the requirements of 326 IAC 6-3, since they use combustion for indirect heating.

326 IAC 7-1.1 Sulfur Dioxide Emission Limitations
The five (5) Natural Gas-Fired Boilers are not subject to 326 IAC 326 IAC 7-1.1 because it has a potential to emit (or limited potential to emit) sulfur dioxide (SO2) of less than 25 tons per year or 10 pounds per hour.

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)
The four (4) Natural Gas-Fired Boilers (Boilers #1, #2, #3, and #4) which were constructed in 1968 are not subject to the requirements of 326 IAC 8-1-6 because it was constructed before January 1, 1980.

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)
Even though, the Natural Gas-Fired Boiler (B125-H4) was constructed after January 1, 1980, it is not subject to the requirements of 326 IAC 8-1-6 because its unlimited VOC potential emissions are less than twenty-five (25) tons per year.

326 IAC 9-1 (Carbon Monoxide Emission Limits)
The requirements of 326 IAC 9-1 do not apply to the five (5) Natural Gas-Fired Boilers, because this source does not operate a catalyst regeneration petroleum cracking system or a petroleum fluid coker, grey iron cupola, blast furnace, basic oxygen steel furnace, or other ferrous metal smelting equipment.

326 IAC 10-3 (Nitrogen Oxide Reduction Program for Specific Source Categories)
The requirements of 326 IAC 10-3 do not apply to the five (5) Natural Gas-Fired Boilers, since the five (5) Natural Gas-Fired Boilers are not a blast furnace gas-fired boiler, a Portland cement kiln, or a facility specifically listed under 326 IAC 10-3-1(a)(2).

Fire Pump Engine:

326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)
Pursuant to 326 IAC 6-3-1(b)(14), the Fire Pump Engine E1 is not subject to the requirements of 326 IAC 6-3, since the Fire Pump Engine E1 has potential emissions less than five hundred fifty-one thousandths (0.551) pound per hour.

326 IAC 7-1.1 Sulfur Dioxide Emission Limitations
This emission unit is not subject to 326 IAC 326 IAC 7-1.1 because it has a potential to emit (or limited potential to emit) sulfur dioxide (SO2) of less than 25 tons per year or 10 pounds per hour.

326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)
Even though, this Fire Pump Engine E1 was constructed after January 1, 1980, it is not subject to the requirements of 326 IAC 8-1-6 because its unlimited VOC potential emissions are less than twenty-five (25) tons per year.

326 IAC 9-1 (Carbon Monoxide Emission Limits)
The requirements of 326 IAC 9-1 do not apply to the Fire Pump Engine E1, because this source does not operate a catalyst regeneration petroleum cracking system or a petroleum fluid coker, grey iron cupola, blast furnace, basic oxygen steel furnace, or other ferrous metal smelting equipment.

326 IAC 10-3 (Nitrogen Oxide Reduction Program for Specific Source Categories)
The requirements of 326 IAC 10-3 do not apply to the Fire Pump Engine E1, since this unit is not a blast furnace gas-fired boiler, a Portland cement kiln, or a facility specifically listed under 326 IAC 10-3-1(a)(2).

Can Punch-Out Process:
**326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)**
Pursuant to 326 IAC 6-3-1(b)(14), the Can Punch-Out Process is not subject to the requirements of 326 IAC 6-3, since it is a manufacturing process with potential emissions less than five hundred fifty-one thousandths (0.551) pound per hour.

**Emergency Generator:**

**326 IAC 6-3-2 (Particulate Emission Limitations for Manufacturing Processes)**
Pursuant to 326 IAC 6-3-1(b)(14), the Emergency Generator E2 is not subject to the requirements of 326 IAC 6-3, because the Emergency Generator E2 has potential emissions less than five hundred fifty-one thousandths (0.551) pound per hour.

**326 IAC 7-1.1 Sulfur Dioxide Emission Limitations**
The Emergency Generator E2 is not subject to 326 IAC 7-1.1 because it has a potential to emit (or limited potential to emit) sulfur dioxide (SO2) of less than 25 tons per year or 10 pounds per hour.

**326 IAC 8-1-6 (VOC Rules: General Reduction Requirements for New Facilities)**
Even though, this Emergency Generator E2 was constructed after January 1, 1980, it is not subject to the requirements of 326 IAC 8-1-6 because its unlimited VOC potential emissions are less than twenty-five (25) tons per year.

**326 IAC 9-1 (Carbon Monoxide Emission Limits)**
The requirements of 326 IAC 9-1 do not apply to the Emergency Generator E2, because this source does not operate a catalyst regeneration petroleum cracking system or a petroleum fluid coker, grey iron cupola, blast furnace, basic oxygen steel furnace, or other ferrous metal smelting equipment.

**326 IAC 10-3 (Nitrogen Oxide Reduction Program for Specific Source Categories)**
The requirements of 326 IAC 10-3 do not apply to the Emergency Generator E2, since this unit is not a blast furnace gas-fired boiler, a Portland cement kiln, or a facility specifically listed under 326 IAC 10-3-1(a)(2).

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**Compliance Determination and Monitoring Requirements**
Permits issued under 326 IAC 2-8 are required to assure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs, IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-8-4. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source’s failure to take the appropriate corrective actions within a specific time period.

(a) The Compliance Determination Requirements applicable to this source are as follows:

In order to comply with the VOC, single HAP and combined HAPs limits, the source-wide VOC, single HAP, and combined HAPs emissions shall be determined as follows:

(a) VOC emission shall be determined using the following equation:
\begin{align*}
V &= \left[ \sum_{i=1}^{n} A_i \times B_i \times Ef \times 2000 \right] \\
\text{where:} \\
V &= \text{VOC emissions, tons per month} \\
n &= \text{number of compounds filled during the month} \\
A_i &= \text{amount of a given compound filled during the month, gallons per month} \\
B_i &= \text{volume percent (%) of VOC content in a given compound} \\
Ef &= \text{compound filling and mixing emissions factor, 0.03 lb of VOC emitted per gallon of VOC in compound} \\
2000 &= \text{conversion factor, pounds per ton} \\

(b) \quad \text{Single HAP emission shall be determined using the following equation:} \\
SH &= \left[ \sum_{i=1}^{n} A_i \times B_i \times Ef \times 2000 \right] \\
\text{where:} \\
SH &= \text{single HAP emissions, tons per month} \\
n &= \text{number of compounds filled during the month} \\
A_i &= \text{amount of a given compound filled during the month, gallons per month} \\
B_i &= \text{volume percent (%) of worst case single HAP content in a given compound} \\
Ef &= \text{compound filling and mixing emissions factor, 0.03 lb of single HAP emitted per gallon of worst case single HAP in compound} \\
2000 &= \text{conversion factor, pounds per ton} \\

(c) \quad \text{Combined HAPs emission shall be determined using the following equation:} \\
CH &= \left[ \sum_{i=1}^{n} A_i \times B_i \times Ef \times 2000 \right] \\
\text{where:} \\
CH &= \text{combined HAPs emissions, tons per month} \\
n &= \text{number of compounds filled during the month} \\
A_i &= \text{amount of a given compound filled during the month, gallons per month} \\
B_i &= \text{volume percent (%) of combined HAPs content in a given compound} \\
Ef &= \text{compound filling and mixing emissions factor, 0.03 lb of combined HAPs emitted per gallon of combined HAPs in compound} \\
2000 &= \text{conversion factor, pounds per ton} \\

(d) \quad \text{The VOC and HAPs content in each compound shall be determined by any of the following:} \\
(i) \quad \text{The manufacturer's certified product data sheet.} \\
(ii) \quad \text{The manufacturer's material safety data sheet.} \\
(iii) \quad \text{Sampling and analysis, using any of the following test methods, as applicable:} \\
(1) \quad 40 \text{ CFR 60, Method 24, Appendix A (July 1, 1998), shall be used to measure the total volatile HAP and volatile organic compound (VOC) content of resins and gel coats. Method 24 may be modified for}
measuring the volatile HAP content of resins or gel coats to require that the procedure be performed on uncatalyzed resin or gel coat samples.

(2) 40 CFR 63, Method 311, Appendix A (July 1, 1998), shall be used to measure HAP content in resins and gel coats by direct injection into a gas chromatograph.

(iv) An alternate method approved by IDEM, OAQ.

(iv) IDEM, OAQ reserves the authority to determine compliance using Method 24 in conjunction with the analytical procedures specified in 326 IAC 8-1-4.

Testing Requirements:

The existing permit has the following one-time VOC testing requirement:

No later than 180 days after the mixing and/or filling of the product containing one or more VOC with vapor pressure greater than the vapor pressure of the ethanol (0.86 psia) and the total volume of these VOCs in the product is greater than 20% of volume of the product at any of the lines specified in this section, the Permittee shall conduct a VOC test for the mixing and filling operations associated with that line to establish emission factor (E_{\text{test}}) specified in the equation of Condition D.1.4(e). Testing shall be conducted using methods approved by the Commissioner and in accordance with 326 IAC 3-6-3. Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this section.

There are no VOC emission factors information available in AP 42 for this type of operation. The VOC emission factors used in determining the PTE and compliance with the VOC and HAPs limits have been considered as alternative emission factors and source specific. Therefore, a one-time testing requirement has been included in the permit to verify uncontrolled VOC emission rate. VOC is used as surrogate for the HAPs in the emission calculation; therefore, HAPs testing requirements have not been included.

On September 25, 2019, Accra-Pak Inc. confirmed that this VOC one-time testing has not been conducted because Accra-Pak Inc. has not met the scenario where mixed and filled products contained one or more VOC with vapor pressure greater than the vapor pressure of the ethanol (0.86 psia) and the total volume of these VOCs in the product is greater than 20% of volume of the product.

The one-time testing requirement mill remain in the permit until the time it is completed.

Proposed Changes

As part of this permit approval, the permit may contain new or different permit conditions and some conditions from previously issued permits/approvals may have been corrected, changed, or removed. These corrections, changes, and removals may include Title I changes.

The following changes were made to conditions contained previously issued permits/approvals (these changes may include Title I changes):

(1) Changed the name from APG, Inc to Accra-Pac, Inc. throughout the permit.

(2) Added Radar Line R-4, Tube/Stick/Other Filling Line 20, and Emergency Generator E2 to the A and D sections.

(3) Removed Lines 33 and Line 41 from the Tube/Stick/Other Product Lines in the A and D sections.
Conclusion and Recommendation

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant. An application for the purposes of this review was received on June 27, 2019. Additional information was received on July 12, 2019.

The construction of this proposed revision shall be subject to the conditions of the attached proposed New Source Review and FESOP Renewal No. F039-41619-00050.

The operation of this stationary consumer product packaging plant, with no propellant filling operations and rejected VOC-containing containers shipped off-site shall be subject to the conditions of the attached proposed FESOP Renewal No. F039-41619-00050.

The staff recommends to the Commissioner that the New Source Review and FESOP Renewal be approved.

IDEM Contact

(a) If you have any questions regarding this permit, please contact Andrea M. Smith, Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251, or by telephone at (317) 234-8339 or (800) 451-6027, and ask for Andrea M. Smith or (317) 234-8339.

(b) A copy of the findings is available on the Internet at: http://www.in.gov/ai/appfiles/idem-caats/

(c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on the Internet at: http://www.in.gov/idem/airquality/2356.htm; and the Citizens’ Guide to IDEM on the Internet at: http://www.in.gov/idem/6900.htm.
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<th>PM2.5</th>
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<th>NOx</th>
<th>CO</th>
<th>VOC</th>
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*Seven storage tanks emissions are from FESOP F039-34629-00050, issued April 7, 2015.

**Can punch-out operation is performed only for the containers containing no VOC and HAPs.
### Appendix A: Emission Calculations

#### NSR Summary

**Company Name:** Accra-Pak, Inc.  
**Source Address:** 1919 Superior Street, Elkhart, IN 46516  
**Permit Number:** F039-41619-00050  
**Reviewer:** Andrea M. Smith

<table>
<thead>
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<th>Potential to Emit (TPY) Unrestricted and Unlimited before NSR</th>
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<td>(6) Tube/ Stick/Other Product Lines</td>
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<td>(3) Frontier Lines</td>
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<td>(5) Boilers</td>
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## Appendix A: Emission Calculations

### Filling & Compounding

**Company Name:** Accra-Pak, Inc.  
**Source Address:** 1919 Superior Street, Elkhart, IN 46516  
**Permit Number:** F039-41619-00050  
**Reviewer:** Andrea M. Smith

### Table: Emission Calculations

| Line | ID  | Throughput (cans/hr) | Size of Can (oz/can) | Gallons/Cp | Size of Can (gallons/can) | Throughput (gallons/hr) | VOC Content of Compound | Compound/Mixing Emission Factor (lb VOC/gal VOC filled) | Potential VOC Emissions (tons/yr) | Subtotal Potential VOC Emissions for Line Type | Potential Combined HAPs Emissions for Line Type | Potential Single HAP for Line Type | FESOP Limit VOC (tons/yr) | FESOP Limit Combined HAPs (tons/yr) | FESOP Limit Single HAP (tons/yr) |
|------|-----|----------------------|---------------------|-----------|--------------------------|------------------------|------------------------|---------------------------------------------------|---------------------------|--------------------------------------|----------------------------------|-------------------------------|-------------------|--------------------------|-------------------------------|--------------------------|
| 51   |     | 6750                 | 8                   | 0.0078125 | 8                        | 421.88                 | 100%                   | 0.03                                              | 0.03          | 55.43                                | 166.30                          | 166.30                          | >10                          | 97                          | 23.3                        | 8.5                        |
| 52   |     | 8750                 | 8                   | 0.0078125 | 8                        | 421.88                 | 100%                   | 0.03                                              | 0.03          | 55.43                                | 166.30                          | 166.30                          | >10                          | 97                          | 23.3                        | 8.5                        |
| 53   |     | 8750                 | 8                   | 0.0078125 | 8                        | 421.88                 | 100%                   | 0.03                                              | 0.03          | 55.43                                | 166.30                          | 166.30                          | >10                          | 97                          | 23.3                        | 8.5                        |
| 54   |     | 8750                 | 8                   | 0.0078125 | 8                        | 421.88                 | 100%                   | 0.03                                              | 0.03          | 55.43                                | 166.30                          | 166.30                          | >10                          | 97                          | 23.3                        | 8.5                        |
| 55   |     | 19500                | 10.6                | 0.0078125 | 0.0828                  | 1614.84                | 100%                   | 0.03                                              | 0.03          | 212.19                               | 848.76                          | 848.76                          | >10                          | 97                          | 23.3                        | 8.5                        |
| 56   |     | 19500                | 10.6                | 0.0078125 | 0.0828                  | 1614.84                | 100%                   | 0.03                                              | 0.03          | 212.19                               | 848.76                          | 848.76                          | >10                          | 97                          | 23.3                        | 8.5                        |
| 57   |     | 19500                | 10.6                | 0.0078125 | 0.0828                  | 1614.84                | 100%                   | 0.03                                              | 0.03          | 212.19                               | 848.76                          | 848.76                          | >10                          | 97                          | 23.3                        | 8.5                        |
| 58   |     | 19500                | 10.6                | 0.0078125 | 0.0828                  | 1614.84                | 100%                   | 0.03                                              | 0.03          | 212.19                               | 848.76                          | 848.76                          | >10                          | 97                          | 23.3                        | 8.5                        |
| 59   |     | 19500                | 10.6                | 0.0078125 | 0.0828                  | 1614.84                | 100%                   | 0.03                                              | 0.03          | 212.19                               | 848.76                          | 848.76                          | >10                          | 97                          | 23.3                        | 8.5                        |
| 60   |     | 19500                | 10.6                | 0.0078125 | 0.0828                  | 1614.84                | 100%                   | 0.03                                              | 0.03          | 212.19                               | 848.76                          | 848.76                          | >10                          | 97                          | 23.3                        | 8.5                        |

### Methodology:

The emissions from the run tanks and batch tanks are included in the emission factor (0.03 lb of VOC/gallons of VOC in filled product) used in the compound mixing & filling emissions calculations.

**Radar Lines**

- Potential VOC Emissions (TPY) = Throughput (Gals/hr) x Compound/Mixing Emission Factor (lbs VOC/gal VOC filled) x 8760-hrs/yr x 1-ton/2,000-lbs

**Frontier Lines**

- Throughput for Radar and Frontier Lines (gallons/hr) = Throughput (cans/hr) x Size of Can (gallons/can)

**Corporate Aerosol Line**

- Potential VOC Emissions (TPY) = Throughput (Gals/hr) x Compound/Mixing Emission Factor (lbs VOC/gal VOC filled) x 8760-hrs/yr x 1-ton/2,000-lbs
Appendix A: Emission Calculations

Boilers

Company Name: Accra-Pak, Inc.
Source Address: 1919 Superior Street, Elkhart, IN 46516
Permit Number: F039-41619-00050
Reviewer: Andrea M. Smith

| Natural Gas Boiler #1 | 16.06 | 1020 | 86.4 |
| Natural Gas Boiler #2 | 12.06 | 1020 | 86.4 |
| Natural Gas Boiler #3 | 10.03 | 1020 | 86.4 |
| Natural Gas Boiler #4 | 5.03  | 1020 | 86.4 |
| Natural Gas Boiler B125H-4 | 4.18  | 1020 | 86.4 |

Pollutant (ton/yr)

<table>
<thead>
<tr>
<th>PM*</th>
<th>PM10*</th>
<th>direct PM2.5*</th>
<th>SO2</th>
<th>NOx</th>
<th>VOC</th>
<th>CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emission Factor in lb/MMCF</td>
<td>1.9</td>
<td>7.6</td>
<td>7.6</td>
<td>0.6</td>
<td>100 **</td>
<td>5.5</td>
</tr>
<tr>
<td>Emission Rate in lb/MMBtu</td>
<td>0.0019</td>
<td>0.0075</td>
<td>0.0075</td>
<td>0.0006</td>
<td>0.0080</td>
<td>0.0054</td>
</tr>
<tr>
<td>Natural Gas Boiler #1</td>
<td>0.082</td>
<td>0.3</td>
<td>0.3</td>
<td>0.03</td>
<td>4.3</td>
<td>0.2</td>
</tr>
<tr>
<td>Natural Gas Boiler #2</td>
<td>0.082</td>
<td>0.3</td>
<td>0.3</td>
<td>0.03</td>
<td>4.3</td>
<td>0.2</td>
</tr>
<tr>
<td>Natural Gas Boiler #3</td>
<td>0.082</td>
<td>0.3</td>
<td>0.3</td>
<td>0.03</td>
<td>4.3</td>
<td>0.2</td>
</tr>
<tr>
<td>Natural Gas Boiler #4</td>
<td>0.041</td>
<td>0.2</td>
<td>0.2</td>
<td>0.01</td>
<td>2.2</td>
<td>0.1</td>
</tr>
<tr>
<td>Natural Gas Boiler B125H-4</td>
<td>0.034</td>
<td>0.1</td>
<td>0.1</td>
<td>0.01</td>
<td>1.8</td>
<td>0.1</td>
</tr>
<tr>
<td>Total</td>
<td>0.29</td>
<td>1.15</td>
<td>1.15</td>
<td>0.09</td>
<td>15.12</td>
<td>0.83</td>
</tr>
</tbody>
</table>

*PM emission factor is filterable PM only. PM10 emission factor is filterable and condensable PM10 combined.
PM2.5 emission factor is filterable and condensable PM2.5 combined.
**Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

Methodology

All emission factors are based on normal firing.

<table>
<thead>
<tr>
<th>MMBtu = 1,000,000 Btu</th>
</tr>
</thead>
<tbody>
<tr>
<td>MMCF = 1,000,000 Cubic Feet of Gas</td>
</tr>
<tr>
<td>Emission Rate in lb/MMBtu = Emission Factor (lb/MMCF) / 1020 (MMBtu/MMCF)</td>
</tr>
<tr>
<td>Emission Factors are from AP-42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-03-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03</td>
</tr>
<tr>
<td>Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,020 MMBtu</td>
</tr>
<tr>
<td>Emission (ton/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton</td>
</tr>
</tbody>
</table>

HAPs Emissions

**HAPs - Organics (ton/yr)**

<table>
<thead>
<tr>
<th>Emission Factor in lb/MMCf</th>
<th>Benzene</th>
<th>Dioxin and dioxin-like compounds</th>
<th>Formaldehyde</th>
<th>Hexane</th>
<th>Toluene</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1E-03</td>
<td>1.2E-03</td>
<td>7.5E-02</td>
<td>1.8E+00</td>
<td>3.4E-03</td>
<td></td>
</tr>
<tr>
<td>Natural Gas Boiler #1</td>
<td>9.072E-05</td>
<td>5.184E-05</td>
<td>3.240E-03</td>
<td>7.776E-02</td>
<td>1.496E-04</td>
</tr>
<tr>
<td>Natural Gas Boiler #2</td>
<td>9.072E-05</td>
<td>5.184E-05</td>
<td>3.240E-03</td>
<td>7.776E-02</td>
<td>1.496E-04</td>
</tr>
<tr>
<td>Natural Gas Boiler #3</td>
<td>9.072E-05</td>
<td>5.184E-05</td>
<td>3.240E-03</td>
<td>7.776E-02</td>
<td>1.496E-04</td>
</tr>
<tr>
<td>Natural Gas Boiler #4</td>
<td>4.536E-05</td>
<td>2.092E-05</td>
<td>1.620E-03</td>
<td>3.888E-02</td>
<td>7.344E-05</td>
</tr>
<tr>
<td>Natural Gas Boiler B125H-4</td>
<td>3.768E-05</td>
<td>2.154E-05</td>
<td>1.548E-03</td>
<td>3.231E-02</td>
<td>6.103E-05</td>
</tr>
<tr>
<td>Total</td>
<td>3.552E-04</td>
<td>1.814E-04</td>
<td>1.134E-02</td>
<td>2.722E-01</td>
<td>5.141E-04</td>
</tr>
</tbody>
</table>

**HAPs - Metals (ton/yr)**

<table>
<thead>
<tr>
<th>Emission Factor in lb/MMCf</th>
<th>Lead</th>
<th>Cadmium</th>
<th>Chromium</th>
<th>Manganese</th>
<th>Nickel</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.0E-04</td>
<td>1.1E-03</td>
<td>3.4E-03</td>
<td>1.2E-03</td>
<td>3.7E-04</td>
<td>2.1E-03</td>
</tr>
<tr>
<td>Natural Gas Boiler #1</td>
<td>2.160E-05</td>
<td>4.752E-05</td>
<td>6.048E-05</td>
<td>1.642E-05</td>
<td>9.072E-05</td>
</tr>
<tr>
<td>Natural Gas Boiler #2</td>
<td>2.160E-05</td>
<td>4.752E-05</td>
<td>6.048E-05</td>
<td>1.642E-05</td>
<td>9.072E-05</td>
</tr>
<tr>
<td>Natural Gas Boiler #3</td>
<td>2.160E-05</td>
<td>4.752E-05</td>
<td>6.048E-05</td>
<td>1.642E-05</td>
<td>9.072E-05</td>
</tr>
<tr>
<td>Natural Gas Boiler #4</td>
<td>1.080E-05</td>
<td>2.376E-05</td>
<td>3.024E-05</td>
<td>8.208E-06</td>
<td>4.536E-05</td>
</tr>
<tr>
<td>Natural Gas Boiler B125H-4</td>
<td>3.769E-05</td>
<td>2.154E-05</td>
<td>1.346E-03</td>
<td>3.231E-02</td>
<td>6.103E-05</td>
</tr>
<tr>
<td>Total</td>
<td>7.86E-05</td>
<td>1.663E-04</td>
<td>2.117E-04</td>
<td>5.146E-05</td>
<td>2.179E-04</td>
</tr>
</tbody>
</table>

Methodology is the same as above.
The five highest organic and metal HAPs emission factors are provided above.
Additional HAPs emission factors are available in AP-42, Chapter 1.4.
Appendix A: Emission Calculations

Company Name: Accra-Pak, Inc.
Source Address: 1918 Superior Street, Elkhart, IN 46516
Permit Number: F039-41619-00050
Reviewer: Andrea M. Smith

Maximum Output Horsepower Rating (hp) | 208
Brake Specific Fuel Consumption (BSFC) (Btu/hp-hr) | 7500
Maximum Hours Operated per Year (hr/yr) | 500
Potential Fuel Usage (MMBtu/yr) | 780
High Heat Value (MMBtu/MMscf) | 10220
Potential Fuel Usage (MMcf/yr) | 0.76

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>PM emission factor is for filterable PM-10. PM10 emission factor is filterable PM10 + condensable PM.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emission Factor (lb/MMBtu)</td>
<td>7.71E-05 9.99E-03 9.99E-03 5.88E-04 4.08E+00 1.18E-01 3.17E-01</td>
</tr>
<tr>
<td>Potential Emissions (tons/yr)</td>
<td>0.00003 0.0039 0.0039 0.0002 1.5912 0.0460 0.1236</td>
</tr>
</tbody>
</table>

Criteria Pollutants

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>PM*</th>
<th>PM10*</th>
<th>PM2.5*</th>
<th>SO2</th>
<th>NOx</th>
<th>VOC</th>
<th>CO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emission Factor (lb/MMBtu)</td>
<td>8.96E-03 9.99E-03 9.99E-03 5.88E-04 4.08E+00 1.18E-01 3.17E-01</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Potential Emissions (tons/yr)</td>
<td>0.00003 0.0039 0.0039 0.0002 1.5912 0.0460 0.1236</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Hazardous Air Pollutants (HAPs)

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Emission Factor (lb/MMBtu)</th>
<th>Potential Emissions (tons/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acetaldehyde</td>
<td>8.96E-03</td>
<td>0.003</td>
</tr>
<tr>
<td>Acrolein</td>
<td>5.14E-03</td>
<td>0.002</td>
</tr>
<tr>
<td>Benzene</td>
<td>6.98E-04</td>
<td>0.000</td>
</tr>
<tr>
<td>Biphenyl</td>
<td>2.12E-04</td>
<td>0.000</td>
</tr>
<tr>
<td>1,3-Butadiene</td>
<td>2.87E-04</td>
<td>0.000</td>
</tr>
<tr>
<td>Formaldehyde</td>
<td>9.88E-04</td>
<td>0.011</td>
</tr>
<tr>
<td>Methanol</td>
<td>2.50E-03</td>
<td>0.001</td>
</tr>
<tr>
<td>Hexane</td>
<td>1.10E-03</td>
<td>0.000</td>
</tr>
<tr>
<td>Toluene</td>
<td>4.88E-04</td>
<td>0.000</td>
</tr>
<tr>
<td>2,2,4-Trimethylpentane</td>
<td>2.50E-04</td>
<td>0.000</td>
</tr>
<tr>
<td>Xylene</td>
<td>1.84E-04</td>
<td>0.000</td>
</tr>
</tbody>
</table>

Total 0.03

HAP pollutants consist of the eleven highest HAPs included in AP-42 Table 3.2-2.

Methodology

Emission Factors are from AP-42 (Supplement F, July 2000), Table 3.2-2
Potential Fuel Usage (MMBtu/yr) = (Maximum Output Horsepower Rating (hp)) * [Brake Specific Fuel Consumption (Btu/hp-hr)] * [Maximum Hours Operated per Year (hr/yr)] / (1000000 Btu/MMBtu)
Potential Emissions (tons/yr) = (Potential Fuel Usage (MMBtu/yr)) * [Emission Factor (lb/MMBtu)] / (2000 lb/ton)

Abbreviations

PM = Particulate Matter
PM10 = Particulate Matter (<10 um)
NOX = Nitrous Oxides
VOC = Volatile Organic Compounds
SO2 = Sulfur Dioxide
CO = Carbon Monoxide
Appendix A: Emission Calculations
Reciprocating Internal Combustion Engines - Natural Gas
2-Stroke Lean-Burn (2SLB) Engines

Company Name: Accra-Pak, Inc.
Source Address: 1919 Superior Street, Elkhart, IN 46516
Permit Number: F039-41619-00050
Reviewer: Andrea M. Smith

Reciprocating Internal Combustion Engines - Natural Gas
2-Stroke Lean-Burn (2SLB) Engines

Company Name: Accra-Pak, Inc.
Source Address: 1919 Superior Street, Elkhart, IN 46516
Permit Number: F039-41619-00050
Reviewer: Andrea M. Smith

<table>
<thead>
<tr>
<th>kW</th>
<th>40</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Heat Input Capacity (MMBtu/hr)</td>
<td>0.17</td>
</tr>
<tr>
<td>Maximum Hours Operated per Year (hr/yr)</td>
<td>500</td>
</tr>
<tr>
<td>Potential Fuel Usage (MMBtu/yr)</td>
<td>83.57709999</td>
</tr>
<tr>
<td>High Heat Value (MMBtu/MMscf)</td>
<td>1020</td>
</tr>
<tr>
<td>Potential Fuel Usage (MMcf/yr)</td>
<td>0.08</td>
</tr>
</tbody>
</table>

### Emission Factors

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Criterion Pollutants</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PM*</td>
</tr>
<tr>
<td></td>
<td>PM10*</td>
</tr>
<tr>
<td></td>
<td>PM2.5*</td>
</tr>
<tr>
<td></td>
<td>SO2</td>
</tr>
<tr>
<td></td>
<td>NOx</td>
</tr>
<tr>
<td></td>
<td>VOC</td>
</tr>
<tr>
<td></td>
<td>CO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Emission Factor (lb/MMBtu)</th>
<th>Potential Emissions (tons/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PM*</td>
<td>3.84E-02</td>
</tr>
<tr>
<td>PM10*</td>
<td>4.83E-02</td>
</tr>
<tr>
<td>PM2.5*</td>
<td>4.83E-02</td>
</tr>
<tr>
<td>SO2</td>
<td>5.88E-04</td>
</tr>
<tr>
<td>NOx</td>
<td>3.17E+00</td>
</tr>
<tr>
<td>VOC</td>
<td>1.20E-01</td>
</tr>
<tr>
<td>CO</td>
<td>3.86E-01</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Emission Factor (lb/MMBtu)</th>
<th>Potential Emissions (tons/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PM*</td>
<td>3.84E-02</td>
</tr>
<tr>
<td>PM10*</td>
<td>4.83E-02</td>
</tr>
<tr>
<td>PM2.5*</td>
<td>4.83E-02</td>
</tr>
<tr>
<td>SO2</td>
<td>5.88E-04</td>
</tr>
<tr>
<td>NOx</td>
<td>3.17E+00</td>
</tr>
<tr>
<td>VOC</td>
<td>1.20E-01</td>
</tr>
<tr>
<td>CO</td>
<td>3.86E-01</td>
</tr>
</tbody>
</table>

*PM emission factor is for filterable PM-10. PM10 emission factor is filterable PM10 + condensable PM.
PM2.5 emission factor is filterable PM2.5 + condensable PM.

### Hazardous Air Pollutants (HAPs)

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>Emission Factor (lb/MMBtu)</th>
<th>Potential Emissions (tons/yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acetaldehyde</td>
<td>7.76E-03</td>
<td>3.243E-04</td>
</tr>
<tr>
<td>Acrolein</td>
<td>7.78E-03</td>
<td>3.251E-04</td>
</tr>
<tr>
<td>Benzene</td>
<td>1.94E-03</td>
<td>8.107E-05</td>
</tr>
<tr>
<td>1,3-Butadiene</td>
<td>8.20E-04</td>
<td>3.427E-05</td>
</tr>
<tr>
<td>Ethylbenzene</td>
<td>1.08E-04</td>
<td>4.513E-06</td>
</tr>
<tr>
<td>Formaldehyde</td>
<td>5.52E-02</td>
<td>2.307E-03</td>
</tr>
<tr>
<td>Methanol</td>
<td>2.46E-03</td>
<td>1.036E-04</td>
</tr>
<tr>
<td>Methylene Chloride</td>
<td>1.47E-04</td>
<td>6.143E-06</td>
</tr>
<tr>
<td>Hexane</td>
<td>4.45E-04</td>
<td>1.860E-05</td>
</tr>
<tr>
<td>Toluene</td>
<td>9.63E-04</td>
<td>4.024E-05</td>
</tr>
<tr>
<td>2,2,4-Trimethylpentane</td>
<td>8.46E-04</td>
<td>3.535E-05</td>
</tr>
<tr>
<td>Total PAH**</td>
<td>1.34E-04</td>
<td>5.600E-06</td>
</tr>
</tbody>
</table>

Total 3.286E-03

HAP pollutants consist of the twelve highest HAPs included in AP-42 Table 3.2-1.

**PAH = Polyaromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)

### Methodology

1 MMBtu = 1 kW

Emission Factors are from AP-42 (Supplement F, July 2000), Table 3.2-1

Potential Fuel Usage (MMBtu/yr) = [Maximum Heat Input Capacity (MMBtu/hr)] * [Maximum Hours Operating per Year (hr/yr)]

Potential Emissions (tons/yr) = [Potential Fuel Usage (MMBtu/yr)] * [Emission Factor (lb/MMBtu)] / [2000 lb/ton]

### Abbreviations

- PM = Particulate Matter
- PM10 = Particulate Matter (<10 um)
- SO2 = Sulfur Dioxide
- NOx = Nitrous Oxides
- CO2 = Carbon Dioxide
- CO = Carbon Monoxide
- CH4 = Methane
- N2O = Nitrous Oxide
- VOC = Volatile Organic Compounds
October 9, 2019

Kathy Whitney  
Accra-Pac, Inc.  
PO Box 2988  
Elkhart, IN 46515  

Re: Public Notice  
Accra-Pac, Inc.  
Permit Level: FESOP Ren w/ Sig New Srce Rev  
Permit Number: 039-41619-00050  

Dear Ms. Whitney:

Enclosed is a copy of your draft FESOP Renewal with Significant New Source Review, Technical Support Document, emission calculations, and the Public Notice.

The Public Notice period will begin the date the Notice is published on the IDEM Official Public Notice website. Publication has been requested and is expected within 2-3 business days. You may check the exact Public Notice begins and ends date here: https://www.in.gov/idem/5474.htm

Please note that as of April 17, 2019, IDEM is no longer required to publish the notice in a newspaper.

OAQ has submitted the draft permit package to the Elkhart Public Library, 300 South 2nd Street in Elkhart, IN. As a reminder, you are obligated by 326 IAC 2-1.1-6(c) to place a copy of the complete permit application at this library no later than ten (10) days after submittal of the application or additional information to our department. We highly recommend that even if you have already placed these materials at the library, that you confirm with the library that these materials are available for review and request that the library keep the materials available for review during the entire permitting process.

Please review the enclosed documents carefully. This is your opportunity to comment on the draft permit and notify the OAQ of any corrections that are needed before the final decision. Questions or comments about the enclosed documents should be directed to Andrea M. Smith, Indiana Department of Environmental Management, Office of Air Quality, 100 N. Senate Avenue, Indianapolis, Indiana, 46204 or call (800) 451-6027, and ask for extension 4-8339 or dial (317) 234-8339.

Sincerely,

Theresa Weaver  
Permits Branch  
Office of Air Quality  

Enclosures  
PN Applicant Cover Letter 4/12/19
October 9, 2019

To: Elkhart Public Library

From: Jenny Acker, Branch Chief
Permits Branch
Office of Air Quality

Subject: Important Information to Display Regarding a Public Notice for an Air Permit

Applicant Name: Accra-Pac, Inc.
Permit Number: 039-41619-00050

Enclosed is a copy of important information to make available to the public. This proposed project is regarding a source that may have the potential to significantly impact air quality. Librarians are encouraged to educate the public to make them aware of the availability of this information. The following information is enclosed for public reference at your library:

- Notice of a 30-day Period for Public Comment
- Draft Permit and Technical Support Document

You will not be responsible for collecting any comments from the citizens. Please refer all questions and request for the copies of any pertinent information to the person named below.

Members of your community could be very concerned in how these projects might affect them and their families. Please make this information readily available until you receive a copy of the final package.

If you have any questions concerning this public review process, please contact Joanne Smiddle-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185. Questions pertaining to the permit itself should be directed to the contact listed on the notice.

Enclosures
PN Library updated 4/2019
Notice of Public Comment

October 9, 2019
Accra-Pac, Inc.
039-41619-00050

Dear Concerned Citizen(s):

You have been identified as someone who could potentially be affected by this proposed air permit. The Indiana Department of Environmental Management, in our ongoing efforts to better communicate with concerned citizens, invites your comment on the draft permit.

Enclosed is a Notice of Public Comment, which has posted on IDEM’s Public Notice website at https://www.in.gov/idem/5474.htm.

The application and supporting documentation for this proposed permit have been placed at the library indicated in the Notice. These documents more fully describe the project, the applicable air pollution control requirements and how the applicant will comply with these requirements.

If you would like to comment on this draft permit, please contact the person named in the enclosed Public Notice. Thank you for your interest in the Indiana’s Air Permitting Program.

Please Note: If you feel you have received this Notice in error, or would like to be removed from the Air Permits mailing list, please contact Patricia Pear with the Air Permits Administration Section at 1-800-451-6027, ext. 3-6875 or via e-mail at PPEAR@IDEM.IN.GOV. If you have recently moved and this Notice has been forwarded to you, please notify us of your new address and if you wish to remain on the mailing list. Mail that is returned to IDEM by the Post Office with a forwarding address in a different county will be removed from our list unless otherwise requested.
### Mail Code 61-53

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<td>CERTIFICATE OF MAILING ONLY</td>
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<td>Ryan Navis US Compliance 520 Third St, Ste 100 Excelsior MN 55331 (Consultant)</td>
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