

and submit a statement that the coating operation(s) was in compliance with the emission limitations during the initial compliance period because the organic HAP emission rate was less than or equal to the applicable emission limit in §63.3490, and you achieved the operating limits required by §63.3492 and the work practice standards required by §63.3493.

(n) *Alternative calculation of overall subcategory emission limit.* Alternatively, if your affected source applies coatings in more than one coating type segment within a subcategory, you may calculate an overall HAP emission limit for the subcategory using Equation 4 of §63.3531. If you use this approach, you must limit organic HAP emissions to the atmosphere to the OSEL specified by Equation 4 of §63.3531 during each 12-month compliance period. You must use the OSEL determined by Equation 4 of §63.3531 throughout the 12-month compliance period and may not switch between compliance with individual coating type limits and an OSEL. If you follow this approach, you may not include coatings in different subcategories in determining your OSEL. You must keep all records as required by §§63.3512 and 63.3513. As part of the Notification of Compliance Status required by §63.3510, you must identify the subcategory for which you used a calculated OSEL and submit a statement that the coating operation(s) was in compliance with the emission limitations during the initial compliance period because the organic HAP emission rate for the subcategory was less than or equal to the OSEL determined according to this section.

[68 FR 64446, Nov. 13, 2003, as amended at 71 FR 1384, Jan. 6, 2006]

**§ 63.3542 How do I demonstrate continuous compliance with the emission limitations?**

(a) To demonstrate continuous compliance with the applicable emission limit in §63.3490, the organic HAP emission rate for each compliance period, determined according to the procedures in §63.3541, must be equal to or less than the applicable emission limit in §63.3490. Alternatively, if you calculate an OSEL for all coating type

segments within a subcategory according to §63.3531(i), the organic HAP emission rate for the subcategory for each compliance period must be less than or equal to the calculated OSEL. You must use the calculated OSEL throughout each compliance period. A compliance period consists of 12 months. Each month after the end of the initial compliance period described in §63.3540 is the end of a compliance period consisting of that month and the preceding 11 months. You must perform the calculations in §63.3541 on a monthly basis using data from the previous 12 months of operation.

(b) If the organic HAP emission rate for any 12-month compliance period exceeded the applicable emission limit in §63.3490, that is a deviation from the emission limitation for that compliance period and must be reported as specified in §§63.3510(b)(6) and 63.3511(a)(7).

(c) You must demonstrate continuous compliance with each operating limit required by §63.3492 that applies to you as specified in Table 4 to this subpart.

(1) If an operating parameter is out of the allowed range specified in Table 4 to this subpart, this is a deviation from the operating limit that must be reported as specified in §§63.3510(b)(6) and 63.3511(a)(7).

(2) If an operating parameter deviates from the operating limit specified in Table 4 to this subpart, then you must assume that the emission capture system and add-on control device were achieving zero efficiency during the time period of the deviation, unless you have other data indicating the actual efficiency of the emission capture system and add-on control device, and the use of these data has been approved by the Administrator. For the purposes of completing the compliance calculations specified in §63.3541(h), you must treat the materials used during a deviation on a controlled coating operation as if they were used on an uncontrolled coating operation for the time period of the deviation as indicated in Equation 1 of §63.3541.

(d) You must meet the requirements for bypass lines in §63.3547(b) for controlled coating operations for which you do not conduct liquid-liquid material balances. If any bypass line is

### § 63.3543

opened and emissions are diverted to the atmosphere when the coating operation is running, this is a deviation that must be reported as specified in §§ 63.3510(b)(6) and 63.3511(a)(7). For the purposes of completing the compliance calculations specified in § 63.3541(h), you must treat the materials used during a deviation on a controlled coating operation as if they were used on an uncontrolled coating operation for the time period of the deviation as indicated in Equation 1 of § 63.3541.

(e) You must demonstrate continuous compliance with the work practice standards in § 63.3493. If you did not develop a work practice plan or you did not implement the plan or you did not keep the records required by § 63.3512(j)(8), that is a deviation from the work practice standards that must be reported as specified in §§ 63.3510(b)(6) and 63.3511(a)(7).

(f) As part of each semiannual compliance report required in § 63.3511, you must identify the coating operation(s) for which you used the emission rate with add-on controls option. If there were no deviations from the emission limitations, submit a statement that you were in compliance with the emission limitations during the reporting period because the organic HAP emission rate for each compliance period was less than or equal to the applicable emission limit in § 63.3490, and you achieved the operating limits required by § 63.3492 and the work practice standards required by § 63.3493 during each compliance period.

(g) [Reserved]

(h) Consistent with §§ 63.6(e) and 63.7(e)(1), deviations that occur during a period of startup, shutdown, or malfunction of the emission capture system, add-on control device, or coating operation that may affect emission capture or control device efficiency are not violations if you demonstrate to the Administrator's satisfaction that you were operating in accordance with § 63.6(e)(1). The Administrator will determine whether deviations that occur during a period you identify as a startup, shutdown, or malfunction are violations according to the provisions in § 63.6(e).

### 40 CFR Ch. I (7-1-07 Edition)

(i) You must maintain records as specified in §§ 63.3512 and 63.3513.

[68 FR 64446, Nov. 13, 2003, as amended at 71 FR 20464, Apr. 20, 2006]

### § 63.3543 What are the general requirements for performance tests?

(a) You must conduct each performance test required by § 63.3540 according to the requirements in § 63.7(e)(1) and under the conditions in this section unless you obtain a waiver of the performance test according to the provisions in § 63.7(h).

(1) *Representative coating operation operating conditions.* You must conduct the performance test under representative operating conditions for the coating operation. Operations during periods of startup, shutdown, or malfunction and during periods of nonoperation do not constitute representative conditions. You must record the process information that is necessary to document operating conditions during the test and explain why the conditions represent normal operation.

(2) *Representative emission capture system and add-on control device operating conditions.* You must conduct the performance test when the emission capture system and add-on control device are operating at a representative flow rate and the add-on control device is operating at a representative inlet concentration. You must record information that is necessary to document emission capture system and add-on control device operating conditions during the test and explain why the conditions represent normal operation.

(b) You must conduct each performance test of an emission capture system according to the requirements in § 63.3544. You must conduct each performance test of an add-on control device according to the requirements in § 63.3545.

### § 63.3544 How do I determine the emission capture system efficiency?

You must use the procedures and test methods in this section to determine capture efficiency as part of the performance test required by § 63.3540.

(a) *Assuming 100 percent capture efficiency.* You may assume the capture system efficiency is 100 percent if both