

Environmental Protection Agency

§ 63.1388

shipment received and used in the binder formulation;

(vi) Process parameter level(s) for RS and FA manufacturing lines that use process modifications to comply with the emission limits, including any period when the parameter level(s) deviated from the established limit(s), the date and time of the deviation, when corrective actions were initiated, the cause of the deviation, an explanation of the corrective actions taken, and when the cause of the deviation was corrected;

(vii) Scrubber pressure drop, scrubbing liquid flow rate, and any chemical additive (including chemical feed rate to the scrubber), including any period when a parameter level(s) deviated from the established limit(s), the date and time of the deviation, when corrective actions were initiated, the cause of the deviation, an explanation of the corrective actions taken, and when the cause of the deviation was corrected;

(viii) Incinerator operating temperature and results of periodic inspection of incinerator components, including any period when the temperature fell below the established average or the inspection identified problems with the incinerator, the date and time of the problem, when corrective actions were initiated, the cause of the problem, an explanation of the corrective actions taken, and when the cause of the problem was corrected;

(ix) Glass pull rate, including any period when the pull rate exceeded the average pull rate established during the performance test by more than 20 percent, the date and time of the exceedance, when corrective actions were initiated, the cause of the exceedance, an explanation of the corrective actions taken, and when the cause of the exceedance was corrected.

(e) *Excess emissions report.* As required by § 63.10(e)(3)(v) of this part, the owner or operator shall report semiannually if measured emissions are in excess of the applicable standard or a monitored parameter deviates from the levels established during the performance test. The report shall contain the information specified in § 63.10(c) of this part as well as the additional records required by the recordkeeping requirements of paragraph (d) of this section. When no

deviations have occurred, the owner or operator shall submit a report stating that no excess emissions occurred during the reporting period.

[64 FR 31709, June 14, 1999, as amended at 71 FR 20460, Apr. 20, 2006]

§ 63.1387 Compliance dates.

(a) *Compliance dates.* The owner or operator subject to the provisions of this subpart shall demonstrate compliance with the requirements of this subpart by no later than:

(1) June 14, 2002, for an existing glass-melting furnace, rotary spin manufacturing line, or flame attenuation manufacturing line; or

(2) Upon startup for a new glass-melting furnace, rotary spin manufacturing line, or flame attenuation manufacturing line.

(b) *Compliance extension.* The owner or operator of an existing source subject to this subpart may request from the Administrator an extension of the compliance date for the emission standards for one additional year if such additional period is necessary for the installation of controls. The owner or operator shall submit a request for an extension according to the procedures in § 63.6(i)(3) of this part.

§ 63.1388 Implementation and enforcement.

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or Tribal agency.

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

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§63.1380, 63., and 63.1387.

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

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

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

[68 FR 37358, June 23, 2003]

§§ 63.1389–63.1399 [Reserved]

TABLE 1 TO SUBPART NNN OF PART 63—APPLICABILITY OF GENERAL PROVISIONS (40 CFR PART 63, SUBPART A) TO SUBPART NNN

| General provisions citation | Requirement | Applies to subpart NNN | Explanation |
|-----------------------------|---|------------------------|---|
| 63.1(a)(1)–(a)(4) | Applicability | Yes. | |
| 63.1(a)(5) | | No | [Reserved]. |
| 63.1(a)(6)–(a)(8) | | Yes. | |
| 63.1(a)(9) | | No | [Reserved]. |
| 63.1(a)(10)–(a)(14) | | Yes. | |
| 63.1(b)(1)–(b)(3) | Initial Applicability Determination | Yes. | |
| 63.1(c)(1)–(c)(2) | Applicability After Standard Established. | Yes. | |
| 63.1(c)(3) | | No | [Reserved]. |
| 63.1(c)(4)–(c)(5) | | Yes. | |
| 63.1(d) | | No | [Reserved]. |
| 63.1(e) | Applicability of Permit Program | Yes. | |
| 63.2 | Definitions | Yes | Additional definitions in §63.1381. |
| 63.3(a)–(c) | Units and Abbreviations | Yes. | |
| 63.4(a)(1)–(a)(3) | Prohibited Activities | Yes. | |
| 63.4(a)(4) | | No | [Reserved]. |
| 63.4(a)(5) | | Yes. | |
| 63.4(b)–(c) | | Yes. | |
| 63.5(a)(1)–(a)(2) | Construction/Reconstruction | Yes. | |
| 63.5(b)(1) | Existing, New, Reconstructed | Yes. | |
| 63.5(b)(2) | | No | [Reserved]. |
| 63.5(b)(3)–(b)(6) | | Yes. | |
| 63.5(c) | | No | [Reserved]. |
| 63.5(d) | Approval of Construction/Reconstruction. | Yes. | |
| 63.5(e) | | Yes. | |
| 63.5(f) | | Yes. | |
| 63.6(a) | Compliance with Standards and Maintenance Requirements. | Yes. | |
| 63.6(b)(1)–(b)(5) | | Yes. | |
| 63.6(b)(6) | | No | [Reserved]. |
| 63.6(b)(7) | | Yes. | |
| 63.6(c)(1) | Compliance Date for Existing Sources. | Yes | §63.1387 specifies compliance dates. |
| 63.6(c)(2) | | Yes. | |
| 63.6(c)(3)–(c)(4) | | No | [Reserved]. |
| 63.6(c)(5) | | Yes. | |
| 63.6(d) | | No | [Reserved]. |
| 63.6(e)(1)–(e)(2) | Operation & Maintenance | Yes | §63.1383 specifies operations/maintenance plan. |
| 63.6(e)(3) | Startup, Shutdown Malfunction Plan | Yes. | |
| 63.6(f)(1)–(f)(3) | Compliance with Nonopacity Emission Standards. | Yes. | |
| 63.6(g)(1)–(g)(3) | Alternative Nonopacity Standard | Yes. | |
| 63.6(h) | Opacity/VE Standards | No | Subpart NNN-no COMS, VE or opacity standards. |
| 63.6(i)(1)–(i)(14) | Extension of Compliance | Yes. | |
| 63.6(i)(15) | | No | [Reserved]. |
| 63.6(i)(16) | | Yes. | |
| 63.6(j) | Exemption from Compliance | Yes. | |
| 63.7(a) | Performance Testing Requirements | Yes | §63.1384 has specific requirements. |
| 63.7(b) | Notification | Yes. | |