

Request for Extension of Compliance

THIS IS A SAMPLE NOTIFICATION FORM, WHICH CAN BE USED BY FACILITIES AT THEIR DISCRETION TO MEET COMPLIANCE WITH 40 CFR 63 Subpart A, §63.9(c) and/or §63.6(i)

Applicable Rule: 40 CFR Part 63, Subpart A — National Emission Standards for Hazardous Air Pollutants for Source Categories, Subpart A — General Provisions. Request for extension of compliance is being made in accordance with §63.9(c) and/or §63.6(i).

NOTE: Until an extension of compliance has been granted by the Administrator (or State with an approved permit program), the owner or operator of an affected source subject to a part 63 standard shall comply with all applicable requirements of that standard (§63.6(i)(1)).

Requests for extension of compliance with a relevant standard are due not later than **120 days prior to the affected source's compliance date** [as specified in §63.6(b) and (c)] except as noted below. Emissions standards established under this part may specify an alternative date (e.g., other than 120 days) for the submittal of requests for an extension of compliance if alternatives are appropriate for the source categories affected by those standards. Please check the relevant standard for alternative submittal dates. (§63.6(i)(4)(i)(B))

- *An owner or operator of an existing source unable to comply with a relevant standard established under this part pursuant to section 112(f) of the Act may request that the Administrator grant an extension allowing the source up to 2 years after the standard's effective date to comply with the standard. The Administrator may grant such an extension if he/she finds that such additional period is necessary for the installation of controls and that steps will be taken during the period of the extension to assure that the health of persons will be protected from imminent endangerment. All such requests for an extension of compliance with a relevant standard are due not later than **90 calendar days after the effective date** of the relevant standard. (§63.6(i)(4)(ii), §63.6(i)(3))*
- *An owner or operator of an existing source that has installed BACT or technology required to meet LAER [as specified in (§63.6(i)(2)(ii))] prior to the promulgation of a relevant emission standard in this part may request that the Administrator grant an extension allowing the source 5 years from the date on which such installation was achieved, as determined by the Administrator, to comply with the standard. The Administrator may grant such an extension if he or she finds that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard. All such requests for an extension of compliance with a relevant standard are due not later than **120 days after the promulgation date** of the standard. (§63.6(i)(5), §63.6(i)(2)(ii))*
- *An owner or operator of an affected source may submit a compliance extension request if the existing source demonstrates that it has achieved a reduction in emissions of hazardous air pollutants in accordance with the provisions of subpart D, Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants. The early reduction program is not discussed here, please see Subpart D for further information (§63.6(i)(2)(i))*

**SECTION I
GENERAL INFORMATION**

A. Print or type the following information for each facility for which you are requesting an extension of compliance (§63.9(b)(2)(i)-(ii))

Operating Permit Number (OPTIONAL)		Facility I.D. Number (OPTIONAL)	
Responsible Official's Name/Title			
Street Address			
City		State	ZIP Code
Facility Name (if different from Responsible Official's Name)			
Facility Street Address (If different than Responsible Official's Street Address)			
Facility Local Contact Name		Title	Phone (OPTIONAL)
City		State	ZIP Code

B. Indicate the relevant standard or other requirement that is the basis for this request for this compliance extension request:

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C. I am eligible to apply for a compliance extension for the following reasons: (check all that apply)

- I am unable to comply with the relevant standard and need additional time for the installation of controls (§63.6(i)(4)(i)(A))
- I installed best available control technology (BACT) or lowest achievable emission rate (LEAR) prior to promulgation of the relevant standard (§63.6(i)(2)(ii))
- I am participating in an early reductions program (63.6(i)(2)(i)). If you check this box, this is the **END OF FORM**. Please see Subpart D for further instruction.

D. Are you submitting this compliance extension request less than times indicated on page 1 for submitted an extension request? (§63.6(i)(4)(i)(C))

- Yes No

If you answered yes, state the reasons why additional time is needed and the date when you first learned of the problems. (§63.6(i)(4)(i)(C))

Reasons why additional time is needed

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Date (mm/dd/yy) first learned of the problems

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E. Are you requesting a waiver of the initial performance test required under the applicable relevant standard in conjunction with this request for an extension of compliance? (§63.7(h)(3)(i)-(iii))

Yes No

If you answered yes, you must submit the application for a waiver of the initial performance test together with this request for an extension of compliance. The application for waiver shall include information justifying the request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the affected source performing the required test. (§63.7(h)(3)(i)-(iii))

F. Are you requesting a waiver of recordkeeping and/or reporting requirements under the applicable relevant standard in conjunction with this request for an extension of compliance? (§63.10(f)(3))

Yes No

If you answered yes, you must submit the application for a waiver of recordkeeping and/or reporting requirements together with this request for an extension of compliance. The application for waiver should include whatever information you consider useful to convince the Administrator that a waiver of recordkeeping and/or reporting is warranted. (§63.10(f)(3))

G. If you are unable to comply based on the need for additional time to install controls, **complete Sections II. and III.**

If you have installed BACT or LEAR, **complete Sections II, III, and IV.**

SECTION II

CERTIFICATION *(Note: you may edit the text in this section as deemed appropriate)*

Based upon information and belief formed after a reasonable inquiry, I, as a responsible official of the above-mentioned facility, certify the information contained in this request is accurate and true to the best of my knowledge.

Name of Responsible Official (Print or Type)	Title	Date (mm/dd/yy)

Signature of Responsible Official

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Note: Responsible official is defined under §63.2 as any of the following: the president, vice-president, secretary, or treasurer of the company that owns the plant; the owner of the plant; the plant engineer or supervisor; a government official if the plant is owned by the Federal, State, city, or county government; or a ranking military officer if the plant is located on a military installation.

**SECTION III
COMPLIANCE SCHEDULE INFORMATION**

A. Describe the controls that will be installed at your facility to ensure compliance with the relevant standard. (§63.6(i)(6)(i)(A))

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B. Describe your compliance schedule by specifying the date by which you will complete each of the following steps toward achieving compliance: (§63.6(i)(6)(i)(B)(1)-(2))

1. Specify the date by which on-site construction, installation of emission control equipment, or a process change is to be initiated. (§63.6(i)(6)(i)(B)(1))

Activity that will be initiated	Date (mm/dd/yy)
<input type="checkbox"/> On-site construction <input type="checkbox"/> Installation of emission control equipment <input type="checkbox"/> Process change	

Comments (Optional)

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2. Specify the date by which final compliance is to be achieved. (§63.6(i)(6)(i)(B)(2))

Date (mm/dd/yy)

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**SECTION IV
ADDITIONAL SUPPORTING INFORMATION**

Note: complete this section only if you installed BACT or technology required to meet LAER prior to the promulgation of the applicable relevant emission standard.

Provide additional information (e.g., illustrative text, diagrams, manufacturer's specifications) to demonstrate to the Administrator's satisfaction that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard. (§63.6(i)(6)(ii))

Narrative discussion

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Indicate any attachments you are including as supporting information:

- Diagrams
- Manufacturer's specifications
- Other (describe below)

Description of other attachments

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END OF FORM - Please make sure that a Responsible Official signs Section II prior to submitting the form to your EPA Regional Office or your State Air Permitting Agency, as applicable.