



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

TITLE V/STATE OPERATING PERMIT

Issue Date: October 1, 2025 Effective Date: September 17, 2026
Revision Date: September 17, 2026 Expiration Date: September 30, 2030
Revision Type: Modification, Significant

In accordance with the provisions of the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended, and 25 Pa. Code Chapter 127, the Owner, [and Operator if noted] (hereinafter referred to as permittee) identified below is authorized by the Department of Environmental Protection (Department) to operate the air emission source(s) more fully described in this permit. This Facility is subject to all terms and conditions specified in this permit. Nothing in this permit relieves the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

The regulatory or statutory authority for each permit condition is set forth in brackets. All terms and conditions in this permit are federally enforceable applicable requirements unless otherwise designated as "State-Only" or "non-applicable" requirements.

TITLE V Permit No: 25-00179

Federal Tax Id - Plant Code: 25-6000857-3

Owner Information

Name: ERIE CITY SEW AUTH ERIE CNTY
Mailing Address: 68 PORT ACCESS RD
ERIE, PA 16507

Plant Information

Plant: ERIE SEWER AUTHORITY/ERIE WWTP
Location: 25 Erie County 25001 Erie City
SIC Code: 4952 Trans. & Utilities - Sewerage Systems

Operator

Name: CITY OF ERIE [If different from owner]
Mailing Address: 68 PORT ACCESS RD
ERIE, PA 16507-2204

Responsible Official

Name: BASIL RONZITTI
Title: CHIEF, BUREAU OF SEWERS
Phone: (814) 870 - 1360 Email: bronzitti@erie.pa.us

Permit Contact Person

Name: BASIL RONZITTI
Title: BUREAU CHIEF
Phone: (814) 870 - 1360 Email: bronzitti@erie.pa.us

[Signature] _____
LORI L. MCNABB, NORTHWEST REGION AIR PROGRAM MANAGER



SECTION A. Table of Contents

Section A. Facility/Source Identification

Table of Contents
Site Inventory List

Section B. General Title V Requirements

- #001 Definitions
- #002 Prohibition of Air Pollution
- #003 Property Rights
- #004 Permit Expiration
- #005 Permit Renewal
- #006 Transfer of Ownership or Operational Control
- #007 Inspection and Entry
- #008 Compliance Requirements
- #009 Need to Halt or Reduce Activity Not a Defense
- #010 Duty to Provide Information
- #011 Reopening and Revising the Title V Permit for Cause
- #012 Reopening a Title V Permit for Cause by EPA
- #013 Operating Permit Application Review by the EPA
- #014 Significant Operating Permit Modifications
- #015 Minor Operating Permit Modifications
- #016 Administrative Operating Permit Amendments
- #017 Severability Clause
- #018 Fee Payment
- #019 Authorization for De Minimis Emission Increases
- #020 Reactivation of Sources
- #021 Circumvention
- #022 Submissions
- #023 Sampling, Testing and Monitoring Procedures
- #024 Compliance Certification
- #025 Recordkeeping Requirements
- #026 Reporting Requirements
- #027 Operational Flexibility
- #028 Risk Management
- #029 Approved Economic Incentives and Emission Trading Programs
- #030 Permit Shield
- #031 Reporting
- #032 Report Format

Section C. Site Level Title V Requirements

- C-I: Restrictions
- C-II: Testing Requirements
- C-III: Monitoring Requirements
- C-IV: Recordkeeping Requirements
- C-V: Reporting Requirements
- C-VI: Work Practice Standards
- C-VII: Additional Requirements
- C-VIII: Compliance Certification
- C-IX: Compliance Schedule

Section D. Source Level Title V Requirements

- D-I: Restrictions
- D-II: Testing Requirements
- D-III: Monitoring Requirements
- D-IV: Recordkeeping Requirements
- D-V: Reporting Requirements



SECTION A. Table of Contents

D-VI: Work Practice Standards
D-VII: Additional Requirements

Note: These same sub-sections are repeated for each source!

Section E. Source Group Restrictions

E-I: Restrictions
E-II: Testing Requirements
E-III: Monitoring Requirements
E-IV: Recordkeeping Requirements
E-V: Reporting Requirements
E-VI: Work Practice Standards
E-VII: Additional Requirements

Section F. Alternative Operating Scenario(s)

F-I: Restrictions
F-II: Testing Requirements
F-III: Monitoring Requirements
F-IV: Recordkeeping Requirements
F-V: Reporting Requirements
F-VI: Work Practice Standards
F-VII: Additional Requirements

Section G. Emission Restriction Summary

Section H. Miscellaneous

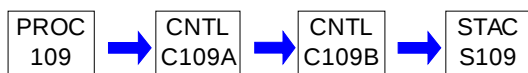
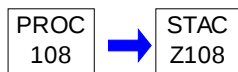
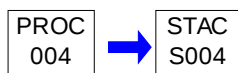
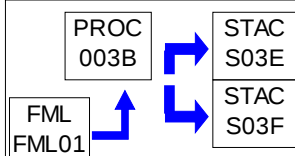
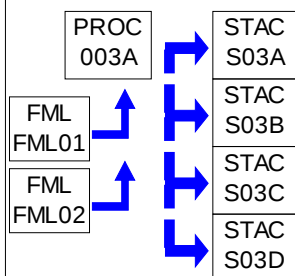
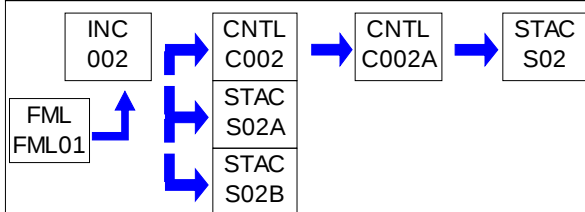
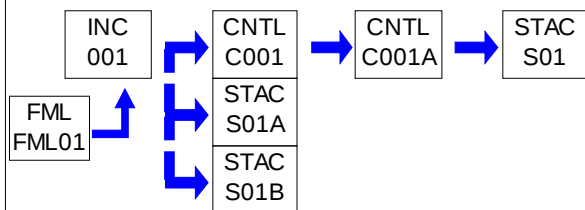
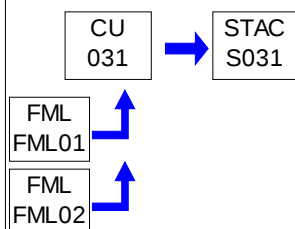
**SECTION A. Site Inventory List**

Source ID	Source Name	Capacity/Throughput		Fuel/Material
031	(2) BOILERS FOR SPACE HEATING - 6 MMBTU/HR EACH	6.000	MMBTU/HR	
		5.800	MCF/HR	NATURAL GAS
		42.900	Gal/HR	NO. 2 FUEL OIL
001	SEWAGE SLUDGE INCINERATOR 1	11.250	Tons/HR	SLUDGE
		1.000	Lbs/HR	NATURAL GAS
002	SEWAGE SLUDGE INCINERATOR 2	11.250	Tons/HR	SLUDGE
		1.000	Lbs/HR	NATURAL GAS
003A	'EXISTING' EMERGENCY GENERATORS, 3 NAT. GAS & 1 DIESEL	4.300	MCF/HR	Natural Gas
		21.000	Gal/HR	#2 Oil
003B	'NEW' EMERGENCY GENERATORS, NAT. GAS, (2)	281.000	MCF/HR	Natural Gas
004	#2 OIL STORAGE TANK (25,000 GALS)	1.000	Gal/HR	# 2 FUEL OIL
108	4 PASS AERATION TANKS (5)	1.000	Gal/HR	SLUDGE
109	ASH LOADOUT	30.000	Tons/HR	ASH
C001	VENTURI & IMPINGEMENT SCRUBBERS 1			
C001A	WET ESP 1			
C002	VENTURI & IMPINGEMENT SCRUBBERS 2			
C002A	WET ESP 2			
C109A	ASH CONDITIONER			
C109B	ASH HANDLING DUST COLLECTOR			
FML01	NATURAL GAS			
FML02	#2 FUEL OIL			
S004	#2 OIL STORAGE TANK VENT			
S01	INCINERATOR 1 PRIMARY STACK			
S01A	INCINERATOR 1 CENTER SHAFT COOLING STACK			
S01B	INCINERATOR 1 EMERGENCY RELIEF VENT			
S02	INCINERATOR 2 PRIMARY STACK			
S02A	INCINERATOR 2 CENTER SHAFT COOLING STACK			
S02B	INCINERATOR 2 EMERGENCY RELIEF VENT			
S031	SPACE HEATING BOILER STACKS			
S03A	GENERATOR VENT (ONAN 275)			
S03B	GENERATOR VENT (ONAN 150)			
S03C	GENERATOR VENT (ONAN 65)			
S03D	GENERATOR VENT (KOHLER 60)			
S03E	GENERATOR STACK			
S03F	GENERATOR STACK			
S109	STACK FOR ASH HANDLING DUST COLLECTOR			
Z108	FUGITIVES FROM 4 PASS AERATION TANKS			

PERMIT MAPS



PERMIT MAPS



**SECTION B. General Title V Requirements****#001 [25 Pa. Code § 121.1]****Definitions**

Words and terms that are not otherwise defined in this permit shall have the meanings set forth in Section 3 of the Air Pollution Control Act (35 P.S. § 4003) and 25 Pa. Code § 121.1.

#002 [25 Pa. Code § 121.7]**Prohibition of Air Pollution**

No person may permit air pollution as that term is defined in the Air Pollution Control Act (35 P.S. §§ 4001-4015).

#003 [25 Pa. Code § 127.512(c)(4)]**Property Rights**

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

#004 [25 Pa. Code § 127.446(a) and (c)]**Permit Expiration**

This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit. The terms and conditions of the expired permit shall automatically continue pending issuance of a new Title V permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.

#005 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446(e), 127.503 & 127.704(b)]**Permit Renewal**

(a) An application for the renewal of the Title V permit shall be submitted to the Department at least six (6) months, and not more than 18 months, before the expiration date of this permit. The renewal application is timely if a complete application is submitted to the Department's Regional Air Manager within the timeframe specified in this permit condition.

(b) The application for permit renewal shall include the current permit number, the appropriate permit renewal fee, a description of any permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. The fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" and submitted with the fee form to the respective regional office.

(c) The renewal application shall also include submission of proof that the local municipality and county, in which the facility is located, have been notified in accordance with 25 Pa. Code § 127.413. The application for renewal of the Title V permit shall also include submission of compliance review forms which have been used by the permittee to update information submitted in accordance with either 25 Pa. Code § 127.412(b) or § 127.412(j).

(d) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information during the permit renewal process. The permittee shall also promptly provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit.

#006 [25 Pa. Code §§ 127.450(a)(4) & 127.464(a)]**Transfer of Ownership or Operational Control**

(a) In accordance with 25 Pa. Code § 127.450(a)(4), a change in ownership or operational control of the source shall be treated as an administrative amendment if:

(1) The Department determines that no other change in the permit is necessary;

(2) A written agreement has been submitted to the Department identifying the specific date of the transfer of permit

**SECTION B. General Title V Requirements**

responsibility, coverage and liability between the current and the new permittee; and,

(3) A compliance review form has been submitted to the Department and the permit transfer has been approved by the Department.

(b) In accordance with 25 Pa. Code § 127.464(a), this permit may not be transferred to another person except in cases of transfer-of-ownership which are documented and approved to the satisfaction of the Department.

#007 [25 Pa. Code § 127.513, 35 P.S. § 4008 and § 114 of the CAA]**Inspection and Entry**

(a) Upon presentation of credentials and other documents as may be required by law for inspection and entry purposes, the permittee shall allow the Department of Environmental Protection or authorized representatives of the Department to perform the following:

(1) Enter at reasonable times upon the permittee's premises where a Title V source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit;

(2) Have access to and copy or remove, at reasonable times, records that are kept under the conditions of this permit;

(3) Inspect at reasonable times, facilities, equipment including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit;

(4) Sample or monitor, at reasonable times, substances or parameters, for the purpose of assuring compliance with the permit or applicable requirements as authorized by the Clean Air Act, the Air Pollution Control Act, or the regulations promulgated under the Acts.

(b) Pursuant to 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Air Pollution Control Act.

(c) Nothing in this permit condition shall limit the ability of the EPA to inspect or enter the premises of the permittee in accordance with Section 114 or other applicable provisions of the Clean Air Act.

#008 [25 Pa. Code §§ 127.25, 127.444, & 127.512(c)(1)]**Compliance Requirements**

(a) The permittee shall comply with the conditions of this permit. Noncompliance with this permit constitutes a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one (1) or more of the following:

(1) Enforcement action

(2) Permit termination, revocation and reissuance or modification

(3) Denial of a permit renewal application

(b) A person may not cause or permit the operation of a source, which is subject to 25 Pa. Code Article III, unless the source(s) and air cleaning devices identified in the application for the plan approval and operating permit and the plan approval issued to the source are operated and maintained in accordance with specifications in the applications and the conditions in the plan approval and operating permit issued by the Department. A person may not cause or permit the operation of an air contamination source subject to 25 Pa. Code Chapter 127 in a manner inconsistent with good operating practices.

(c) For purposes of Sub-condition (b) of this permit condition, the specifications in applications for plan approvals and operating permits are the physical configurations and engineering design details which the Department determines are essential for the permittee's compliance with the applicable requirements in this Title V permit.

**SECTION B. General Title V Requirements****#009 [25 Pa. Code § 127.512(c)(2)]****Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for a 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.

#010 [25 Pa. Code §§ 127.411(d) & 127.512(c)(5)]**Duty to Provide Information**

(a) The permittee shall furnish to the Department, within a reasonable time, information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit.

(b) Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator of EPA along with a claim of confidentiality.

#011 [25 Pa. Code §§ 127.463, 127.512(c)(3) & 127.542]**Reopening and Revising the Title V Permit for Cause**

(a) This Title V permit may be modified, revoked, reopened and reissued or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay a permit condition.

(b) This permit may be reopened, revised and reissued prior to expiration of the permit under one or more of the following circumstances:

(1) Additional applicable requirements under the Clean Air Act or the Air Pollution Control Act become applicable to a Title V facility with a remaining permit term of three (3) or more years prior to the expiration date of this permit. The Department will revise the permit as expeditiously as practicable but not later than 18 months after promulgation of the applicable standards or regulations. No such revision is required if the effective date of the requirement is later than the expiration date of this permit, unless the original permit or its terms and conditions has been extended.

(2) Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Upon approval by the Administrator of EPA, excess emissions offset plans for an affected source shall be incorporated into the permit.

(3) The Department or the EPA determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.

(4) The Department or the Administrator of EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(c) Proceedings to revise this permit shall follow the same procedures which apply to initial permit issuance and shall affect only those parts of this permit for which cause to revise exists. The revision shall be made as expeditiously as practicable.

(d) Regardless of whether a revision is made in accordance with (b)(1) above, the permittee shall meet the applicable standards or regulations promulgated under the Clean Air Act within the time frame required by standards or regulations.

#012 [25 Pa. Code § 127.543]**Reopening a Title V Permit for Cause by EPA**

As required by the Clean Air Act and regulations adopted thereunder, this permit may be modified, reopened and reissued, revoked or terminated for cause by EPA in accordance with procedures specified in 25 Pa. Code § 127.543.

**SECTION B. General Title V Requirements****#013 [25 Pa. Code § 127.522(a)]****Operating Permit Application Review by the EPA**

The applicant may be required by the Department to provide a copy of the permit application, including the compliance plan, directly to the Administrator of the EPA. Copies of title V permit applications to EPA, pursuant to 25 PA Code §127.522(a), shall be submitted, if required, to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

#014 [25 Pa. Code § 127.541]**Significant Operating Permit Modifications**

When permit modifications during the term of this permit do not qualify as minor permit modifications or administrative amendments, the permittee shall submit an application for significant Title V permit modifications in accordance with 25 Pa. Code § 127.541. Notifications to EPA, pursuant to 25 PA Code §127.522(a), if required, shall be submitted, to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

#015 [25 Pa. Code §§ 121.1 & 127.462]**Minor Operating Permit Modifications**

The permittee may make minor operating permit modifications (as defined in 25 Pa. Code §121.1), on an expedited basis, in accordance with 25 Pa. Code §127.462 (relating to minor operating permit modifications). Notifications to EPA, pursuant to 25 PA Code §127.462(c), if required, shall be submitted, to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

#016 [25 Pa. Code § 127.450]**Administrative Operating Permit Amendments**

(a) The permittee may request administrative operating permit amendments, as defined in 25 Pa. Code §127.450(a). Copies of request for administrative permit amendment to EPA, pursuant to 25 PA Code §127.450(c)(1), if required, shall be submitted to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

(b) Upon final action by the Department granting a request for an administrative operating permit amendment covered under §127.450(a)(5), the permit shield provisions in 25 Pa. Code § 127.516 (relating to permit shield) shall apply to administrative permit amendments incorporated in this Title V Permit in accordance with §127.450(c), unless precluded by the Clean Air Act or the regulations thereunder.

#017 [25 Pa. Code § 127.512(b)]**Severability Clause**

The provisions of this permit are severable, and if any provision of this permit is determined by the Environmental Hearing Board or a court of competent jurisdiction, or US EPA to be invalid or unenforceable, such a determination will not affect the remaining provisions of this permit.

**SECTION B. General Title V Requirements****#018 [25 Pa. Code §§ 127.704, 127.705 & 127.707]****Fee Payment**

- (a) The permittee shall pay fees to the Department in accordance with the applicable fee schedules in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees). The applicable fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" with the permit number clearly indicated and submitted to the respective regional office.
- (b) Emission Fees. The permittee shall, on or before September 1st of each year, pay applicable annual Title V emission fees for emissions occurring in the previous calendar year as specified in 25 Pa. Code § 127.705. The permittee is not required to pay an emission fee for emissions of more than 4,000 tons of each regulated pollutant emitted from the facility.
- (c) As used in this permit condition, the term "regulated pollutant" is defined as a VOC, each pollutant regulated under Sections 111 and 112 of the Clean Air Act and each pollutant for which a National Ambient Air Quality Standard has been promulgated, except that carbon monoxide is excluded.
- (d) Late Payment. Late payment of emission fees will subject the permittee to the penalties prescribed in 25 Pa. Code § 127.707 and may result in the suspension or termination of the Title V permit. The permittee shall pay a penalty of fifty percent (50%) of the fee amount, plus interest on the fee amount computed in accordance with 26 U.S.C.A. § 6621(a)(2) from the date the emission fee should have been paid in accordance with the time frame specified in 25 Pa. Code § 127.705(c).
- (e) The permittee shall pay an annual operating permit maintenance fee according to the following fee schedule established in 25 Pa. Code § 127.704(d) on or before December 31 of each year for the next calendar year.
- (1) Eight thousand dollars (\$8,000) for calendar years 2021—2025.
 - (2) Ten thousand dollars (\$10,000) for calendar years 2026—2030.
 - (3) Twelve thousand five hundred dollars (\$12,500) for the calendar years beginning with 2031.

#019 [25 Pa. Code §§ 127.14(b) & 127.449]**Authorization for De Minimis Emission Increases**

- (a) This permit authorizes de minimis emission increases from a new or existing source in accordance with 25 Pa. Code §§ 127.14 and 127.449 without the need for a plan approval or prior issuance of a permit modification. The permittee shall provide the Department with seven (7) days prior written notice before commencing any de minimis emissions increase that would result from either: (1) a physical change of minor significance under § 127.14(c)(1); or (2) the construction, installation, modification or reactivation of an air contamination source. The written notice shall:

- (1) Identify and describe the pollutants that will be emitted as a result of the de minimis emissions increase.
- (2) Provide emission rates expressed in tons per year and in terms necessary to establish compliance consistent with any applicable requirement.

The Department may disapprove or condition de minimis emission increases at any time.

- (b) Except as provided below in (c) and (d) of this permit condition, the permittee is authorized during the term of this permit to make de minimis emission increases (expressed in tons per year) up to the following amounts without the need for a plan approval or prior issuance of a permit modification:

- (1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.
- (2) One ton of NO_x from a single source during the term of the permit and 5 tons of NO_x at the facility during the term of the permit.
- (3) One and six-tenths tons of the oxides of sulfur from a single source during the term of the permit and 8.0 tons of

**SECTION B. General Title V Requirements**

oxides of sulfur at the facility during the term of the permit.

(4) Six-tenths of a ton of PM₁₀ from a single source during the term of the permit and 3.0 tons of PM₁₀ at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act or 25 Pa. Code Article III.

(5) One ton of VOCs from a single source during the term of the permit and 5.0 tons of VOCs at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act or 25 Pa. Code Article III.

(c) In accordance with § 127.14, the permittee may install the following minor sources without the need for a plan approval:

(1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.

(2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.

(3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility, liquefied petroleum gas or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code § 123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.

(4) Space heaters which heat by direct heat transfer.

(5) Laboratory equipment used exclusively for chemical or physical analysis.

(6) Other sources and classes of sources determined to be of minor significance by the Department.

(d) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:

(1) Increase the emissions of a pollutant regulated under Section 112 of the Clean Air Act except as authorized in Subparagraphs (b)(4) and (5) of this permit condition.

(2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa. Code Chapter 127, Subchapter D and/or the new source review requirements in Subchapter E.

(3) Violate any applicable requirement of the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.

(4) Changes which are modifications under any provision of Title I of the Clean Air Act and emission increases which would exceed the allowable emissions level (expressed as a rate of emissions or in terms of total emissions) under the Title V permit.

(e) Unless precluded by the Clean Air Act or the regulations thereunder, the permit shield described in 25 Pa. Code § 127.516 (relating to permit shield) shall extend to the changes made under 25 Pa. Code § 127.449 (relating to de minimis emission increases).

(f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping and reporting requirements of this permit.

(g) Except for de minimis emission increases allowed under this permit, 25 Pa. Code § 127.449, or sources and physical changes meeting the requirements of 25 Pa. Code § 127.14, the permittee is prohibited from making physical changes or engaging in activities that are not specifically authorized under this permit without first applying for a plan approval. In accordance with § 127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.

**SECTION B. General Title V Requirements**

(h) The permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

#020 [25 Pa. Code §§ 127.11a & 127.215]**Reactivation of Sources**

(a) The permittee may reactivate a source at the facility that has been out of operation or production for at least one year, but less than or equal to five (5) years, if the source is reactivated in accordance with the requirements of 25 Pa. Code §§ 127.11a and 127.215. The reactivated source will not be considered a new source.

(b) A source which has been out of operation or production for more than five (5) years but less than 10 years may be reactivated and will not be considered a new source if the permittee satisfies the conditions specified in 25 Pa. Code § 127.11a(b).

#021 [25 Pa. Code §§ 121.9 & 127.216]**Circumvention**

(a) The owner of this Title V facility, or any other person, may not circumvent the new source review requirements of 25 Pa. Code Chapter 127, Subchapter E by causing or allowing a pattern of ownership or development, including the phasing, staging, delaying or engaging in incremental construction, over a geographic area of a facility which, except for the pattern of ownership or development, would otherwise require a permit or submission of a plan approval application.

(b) No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this permit, the Air Pollution Control Act or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors.

#022 [25 Pa. Code §§ 127.402(d) & 127.513(1)]**Submissions**

(a) Reports, test data, monitoring data, notifications and requests for renewal of the permit shall be submitted to the:

Regional Air Program Manager
PA Department of Environmental Protection
(At the address given on the permit transmittal letter, or otherwise notified)

(b) Any report or notification for the EPA Administrator or EPA Region III should be addressed to:

Enforcement & Compliance Assurance Division
Air, RCRA and Toxics Branch (3ED21)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2852

The Title V compliance certification shall be emailed to EPA at R3_APD_Permits@epa.gov.

(c) An application, form, report or compliance certification submitted pursuant to this permit condition shall contain certification by a responsible official as to truth, accuracy, and completeness as required under 25 Pa. Code § 127.402(d). Unless otherwise required by the Clean Air Act or regulations adopted thereunder, this certification and any other certification required pursuant to this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

#023 [25 Pa. Code §§ 127.441(c) & 127.463(e); Chapter 139; & 114(a)(3), 504(b) of the CAA]**Sampling, Testing and Monitoring Procedures**

(a) The permittee shall perform the emissions monitoring and analysis procedures or test methods for applicable requirements of this Title V permit. In addition to the sampling, testing and monitoring procedures specified in this

**SECTION B. General Title V Requirements**

permit, the Permittee shall comply with any additional applicable requirements promulgated under the Clean Air Act after permit issuance regardless of whether the permit is revised.

(b) The sampling, testing and monitoring required under the applicable requirements of this permit, shall be conducted in accordance with the requirements of 25 Pa. Code Chapter 139 unless alternative methodology is required by the Clean Air Act (including §§ 114(a)(3) and 504(b)) and regulations adopted thereunder.

#024 [25 Pa. Code § 127.513]**Compliance Certification**

(a) One year after the date of issuance of the Title V permit, and each year thereafter, unless specified elsewhere in the permit, the permittee shall submit to the Department and EPA Region III a certificate of compliance with the terms and conditions in this permit, for the previous year, including the emission limitations, standards or work practices. This certification shall include:

- (1) The identification of each term or condition of the permit that is the basis of the certification.
- (2) The compliance status.
- (3) The methods used for determining the compliance status of the source, currently and over the reporting period.
- (4) Whether compliance was continuous or intermittent.

(b) The compliance certification shall be postmarked or hand-delivered no later than thirty days after each anniversary of the date of issuance of this Title V Operating Permit, or on the submittal date specified elsewhere in the permit, to the Department in accordance with the submission requirements specified in Section B, Condition #022 of this permit. The Title V compliance certification shall be emailed to EPA at R3_APD_Permits@epa.gov.

#025 [25 Pa. Code §§ 127.511 & Chapter 135]**Recordkeeping Requirements**

(a) The permittee shall maintain and make available, upon request by the Department, records of required monitoring information that include the following:

- (1) The date, place (as defined in the permit) and time of sampling or measurements.
- (2) The dates the analyses were performed.
- (3) The company or entity that performed the analyses.
- (4) The analytical techniques or methods used.
- (5) The results of the analyses.
- (6) The operating conditions as existing at the time of sampling or measurement.

(b) The permittee shall retain records of the required monitoring data and supporting information for at least five (5) years from the date of the monitoring sample, measurement, report or application. Supporting information includes the calibration data and maintenance records and original strip-chart recordings for continuous monitoring instrumentation, and copies of reports required by the permit.

(c) The permittee shall maintain and make available to the Department upon request, records including computerized records that may be necessary to comply with the reporting, recordkeeping and emission statement requirements in 25 Pa. Code Chapter 135 (relating to reporting of sources). In accordance with 25 Pa. Code Chapter 135, § 135.5, such records may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions. If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the needed information by indirect means.

**SECTION B. General Title V Requirements****#026 [25 Pa. Code §§ 127.411(d), 127.442, 127.463(e) & 127.511(c)]****Reporting Requirements**

(a) The permittee shall comply with the reporting requirements for the applicable requirements specified in this Title V permit. In addition to the reporting requirements specified herein, the permittee shall comply with any additional applicable reporting requirements promulgated under the Clean Air Act after permit issuance regardless of whether the permit is revised.

(b) Pursuant to 25 Pa. Code § 127.511(c), the permittee shall submit reports of required monitoring at least every six (6) months unless otherwise specified in this permit. Instances of deviations (as defined in 25 Pa. Code § 121.1) from permit requirements shall be clearly identified in the reports. The reporting of deviations shall include the probable cause of the deviations and corrective actions or preventative measures taken, except that sources with continuous emission monitoring systems shall report according to the protocol established and approved by the Department for the source. The required reports shall be certified by a responsible official.

(c) Every report submitted to the Department under this permit condition shall comply with the submission procedures specified in Section B, Condition #022(c) of this permit.

(d) Any records, reports or information obtained by the Department or referred to in a public hearing shall be made available to the public by the Department except for such records, reports or information for which the permittee has shown cause that the documents should be considered confidential and protected from disclosure to the public under Section 4013.2 of the Air Pollution Control Act and consistent with Sections 112(d) and 114(c) of the Clean Air Act and 25 Pa. Code § 127.411(d). The permittee may not request a claim of confidentiality for any emissions data generated for the Title V facility.

#027 [25 Pa. Code § 127.3]**Operational Flexibility**

The permittee is authorized to make changes within the Title V facility in accordance with the following provisions in 25 Pa. Code Chapter 127 which implement the operational flexibility requirements of Section 502(b)(10) of the Clean Air Act and Section 6.1(i) of the Air Pollution Control Act:

- (1) Section 127.14 (relating to exemptions)
- (2) Section 127.447 (relating to alternative operating scenarios)
- (3) Section 127.448 (relating to emissions trading at facilities with federally enforceable emissions caps)
- (4) Section 127.449 (relating to de minimis emission increases)
- (5) Section 127.450 (relating to administrative operating permit amendments)
- (6) Section 127.462 (relating to minor operating permit amendments)
- (7) Subchapter H (relating to general plan approvals and operating permits)

#028 [25 Pa. Code §§ 127.441(d), 127.512(i) and 40 CFR Part 68]**Risk Management**

(a) If required by Section 112(r) of the Clean Air Act, the permittee shall develop and implement an accidental release program consistent with requirements of the Clean Air Act, 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (P.L. 106-40).

(b) The permittee shall prepare and implement a Risk Management Plan (RMP) which meets the requirements of Section 112(r) of the Clean Air Act, 40 CFR Part 68 and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act when a regulated substance listed in 40 CFR § 68.130 is present in a process in more than the listed threshold quantity at the Title V facility. The permittee shall submit the RMP to the federal Environmental Protection Agency according to the following schedule and requirements:

- (1) The permittee shall submit the first RMP to a central point specified by EPA no later than the latest of the following:

**SECTION B. General Title V Requirements**

- (i) Three years after the date on which a regulated substance is first listed under § 68.130; or,
 - (ii) The date on which a regulated substance is first present above a threshold quantity in a process.
- (2) The permittee shall submit any additional relevant information requested by the Department or EPA concerning the RMP and shall make subsequent submissions of RMPs in accordance with 40 CFR § 68.190.
- (3) The permittee shall certify that the RMP is accurate and complete in accordance with the requirements of 40 CFR Part 68, including a checklist addressing the required elements of a complete RMP.
- (c) As used in this permit condition, the term "process" shall be as defined in 40 CFR § 68.3. The term "process" means any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.
- (d) If the Title V facility is subject to 40 CFR Part 68, as part of the certification required under this permit, the permittee shall:
- (1) Submit a compliance schedule for satisfying the requirements of 40 CFR Part 68 by the date specified in 40 CFR § 68.10(a); or,
 - (2) Certify that the Title V facility is in compliance with all requirements of 40 CFR Part 68 including the registration and submission of the RMP.
- (e) If the Title V facility is subject to 40 CFR Part 68, the permittee shall maintain records supporting the implementation of an accidental release program for five (5) years in accordance with 40 CFR § 68.200.
- (f) When the Title V facility is subject to the accidental release program requirements of Section 112(r) of the Clean Air Act and 40 CFR Part 68, appropriate enforcement action will be taken by the Department if:
- (1) The permittee fails to register and submit the RMP or a revised plan pursuant to 40 CFR Part 68.
 - (2) The permittee fails to submit a compliance schedule or include a statement in the compliance certification required under Section B, Condition #026 of this permit that the Title V facility is in compliance with the requirements of Section 112(r) of the Clean Air Act, 40 CFR Part 68, and 25 Pa. Code § 127.512(i).

#029 [25 Pa. Code § 127.512(e)]**Approved Economic Incentives and Emission Trading Programs**

No permit revision shall be required under approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this Title V permit.

#030 [25 Pa. Code §§ 127.516, 127.450(d), 127.449(f) & 127.462(g)]**Permit Shield**

(a) The permittee's compliance with the conditions of this permit shall be deemed in compliance with applicable requirements (as defined in 25 Pa. Code § 121.1) as of the date of permit issuance if either of the following applies:

(1) The applicable requirements are included and are specifically identified in this permit.

(2) The Department specifically identifies in the permit other requirements that are not applicable to the permitted facility or source.

(b) Nothing in 25 Pa. Code § 127.516 or the Title V permit shall alter or affect the following:

(1) The provisions of Section 303 of the Clean Air Act, including the authority of the Administrator of the EPA provided thereunder.

(2) The liability of the permittee for a violation of an applicable requirement prior to the time of permit issuance.

**SECTION B. General Title V Requirements**

(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act.

(4) The ability of the EPA to obtain information from the permittee under Section 114 of the Clean Air Act.

(c) Unless precluded by the Clean Air Act or regulations thereunder, final action by the Department incorporating a significant permit modification in this Title V Permit shall be covered by the permit shield at the time that the permit containing the significant modification is issued.

#031 [25 Pa. Code §135.3]**Reporting**

(a) The permittee shall submit by March 1 of each year an annual emissions report for the preceding calendar year. The report shall include information for all active previously reported sources, new sources which were first operated during the preceding calendar year, and sources modified during the same period which were not previously reported. All air emissions from the facility should be estimated and reported.

(b) A source owner or operator may request an extension of time from the Department for the filing of an annual emissions report, and the Department may grant the extension for reasonable cause.

#032 [25 Pa. Code §135.4]**Report Format**

Emissions reports shall contain sufficient information to enable the Department to complete its emission inventory. Emissions reports shall be made by the source owner or operator in a format specified by the Department.

**SECTION C. Site Level Requirements****I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

(a) No person may permit the emission into the outdoor atmosphere of fugitive air contaminant from a source other than the following:

(1) Construction or demolition of buildings or structures.

(2) Grading, paving and maintenance of roads and streets.

(3) Use of roads and streets. Emissions from material in or on trucks, railroad cars and other vehicular equipment are not considered as emissions from use of roads and streets.

(4) Clearing of land.

(5) Stockpiling of materials.

(6) Open burning operations.

(7) [Not applicable]

(8) [Not applicable]

(9) Sources and classes of sources other than those identified in paragraphs (1)-(8), for which the operator has obtained a determination from the Department that fugitive emissions from the source, after appropriate control, meet the following requirements:

(i) the emissions are of minor significance with respect to causing air pollution; and

(ii) the emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

(b) An application form for requesting a determination under either subsection (a)(9) or 129.15(c) is available from the Department. In reviewing these applications, the Department may require the applicant to supply information including, but not limited to, a description of proposed control measures, characteristics of emissions, quantity of emissions, and ambient air quality data and analysis showing the impact of the source on ambient air quality. The applicant shall be required to demonstrate that the requirements of subsections (a)(9) and (c) and 123.2 (relating to fugitive particulate matter) or of the requirements of 129.15(c) have been satisfied. Upon such demonstration, the Department will issue a determination, in writing, either as an operating permit condition, for those sources subject to permit requirements under the act, or as an order containing appropriate conditions and limitations.

(c) [Paragraph (c) of the regulation is printed under WORK PRACTICE REQUIREMENTS in this section of permit.]

(d) [Paragraph (d) of the regulation is not applicable to this facility.]

002 [25 Pa. Code §123.2]**Fugitive particulate matter**

A person may not permit fugitive particulate matter to be emitted into the outdoor atmosphere from a source specified in 25 Pa. Code § 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions) if such emissions are visible at the point the emissions pass outside the person's property.

003 [25 Pa. Code §123.31]**Limitations**

(a) Limitations are as follows:

(1) [This paragraph of the regulation is streamlined out of the operating permit in favor of a 25 Pa. Code §127.12b condition from plan approval 25-179A which is printed below in this section of the TV operating permit.]

**SECTION C. Site Level Requirements**

(2) Techniques other than incineration may be used to control malodorous air contaminants if such techniques are equivalent to or better than the required incineration in terms of control of the odor emissions and are approved in writing by the Department.

(b) A person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source, in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated.

(c) [Paragraph (c) of the regulation is not applicable to this facility.]

004 [25 Pa. Code §123.41]**Limitations**

A person may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

- (1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour.
- (2) Equal to or greater than 60% at any time.

005 [25 Pa. Code §123.42]**Exceptions**

The limitations of 25 PA Code 123.41 (relating to limitations) shall not apply to a visible emission in any of the following instances:

- (1) when the presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) When the emission results from sources specified in 25 PA Code 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions).

006 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Techniques better than or equal to incineration must be used to control malodorous air contaminants.

[This condition supercedes the 25 Pa. Code Section 123.31(a)(1).]

[From Plan Approval 25-179A, Section C, Condition # 001.]

II. TESTING REQUIREMENTS.**# 007 [25 Pa. Code §123.43]****Measuring techniques**

Visible emissions may be measured using either of the following:

- (1) A device approved by the Department and maintained to provide accurate opacity measurements.
- (2) Observers, trained and qualified to measure plume opacity with the naked eye or with the aid of any devices approved by the Department.

008 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The Department reserves the right to require exhaust stack testing of any source(s) as necessary to verify emissions for purposes including determining the correct emission fee, malfunctions, or determining compliance with any applicable requirements.

**SECTION C. Site Level Requirements****III. MONITORING REQUIREMENTS.****# 009 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

- (a) The permittee shall perform a facility-wide inspection for fugitive and/or visible emissions each day during daylight hours.
- (b) All observed fugitive and/or visible emissions shall be reported to the Site Supervisor or his designated representative.

IV. RECORDKEEPING REQUIREMENTS.**# 010 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

- (a) A daily log shall be kept on site documenting the facility-wide inspection for fugitive and/or visible emissions.
- (b) This recordkeeping shall contain a listing or notation of:
- any and all observed changes of fugitive emissions or visible emissions;
 - the cause of such changes;
 - duration of such observed emissions; and
 - the corrective action taken to abate the deviation and prevent future occurrences.

011 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

The permittee can modify the mixture of pollutants regulated under Section 112 of the Clean Air Act (42 U.S.C.A. 7412) which are VOCs or PM10 so long as the emission limitations of this permit are not violated. The permittee shall keep a log which identifies the mixture of pollutants regulated under section 112 and report the changes in the mixture of pollutants regulated under section 112 with the next report required to be provided to the Department.

V. REPORTING REQUIREMENTS.**# 012 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

(a) The 6-month deviation report, required under Section B Condition #025, shall be submitted to the Department within 1 month of the end of the reporting period. The 6-month deviation report shall cover the following periods unless otherwise approved by the Department:

- (1) January 1 through June 30;
- (2) July 1 through December 31.

(b) In accordance with 25 Pa. Code § 127.513 and with Section B Condition #026 of this permit, the annual compliance certification report shall be submitted to both the Department and EPA within 1 month of the end of the reporting period. The annual compliance certification shall cover the following period unless otherwise approved by the Department.

- January 1 to December 31.

(c) All submittals to the Department required by this permit shall be mailed to the following address.

Bureau of Air Quality
Department of Environmental Protection
230 Chestnut Street
Meadville, PA 16335
814-332-6940 (phone)
814-332-6121 (fax)

(d) The addresses for EPA submittals are as follows.

- (1) The mailing address is:
Section Chief
U.S. Environmental Protection Agency Region III
Enforcement and Compliance Assurance Division

**SECTION C. Site Level Requirements**

Air Section (3ED21)
1650 Arch Street
Philadelphia, PA 19103-2029

(2) Electronic compliance certifications may be sent to the EPA at the following email address.

R3_APD_Permits@epa.gov

Include the following in the email subject line:

- name of facility, state, and Title V operating permit number.

013 [25 Pa. Code §135.21]**Emission statements**

(a) The owner or operator of each stationary source emitting oxides of nitrogen or VOC's shall provide the Department with a statement, in a form as the Department may prescribe, for classes or categories of sources, showing the actual emissions of oxides of nitrogen and VOCs from that source for each reporting period, a description of the method used to calculate the emissions and the time period over which the calculation is based. The statement shall contain a certification by a company officer or the plant manager that the information contained in the statement is accurate.

(b) Annual emission statements are due by March 1 for the preceding calendar year and shall provide data consistent with requirements and guidance developed by the EPA. The guidance document is available from: United States Environmental Protection Agency, 401 M. Street, S.W., Washington, D.C. 20460. The Department may require more frequent submittals if the Department determines that one or more of the following applies:

- (1) A more frequent submission is required by the EPA.
- (2) Analysis of the data on a more frequent basis is necessary to implement the requirements of the act.

VI. WORK PRACTICE REQUIREMENTS.**# 014 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

(a) - (b) [Paragraphs (a) and (b) of 25 Pa. Code §123.1 are printed under Emission Restrictions in this section of permit.]

(c) A person responsible for any source specified in 25 Pa. Code § (a)(1) -- (7) or (9) [Condition 002 above] shall take all reasonable actions to prevent particulate matter from becoming airborne. These actions shall include, but not be limited to, the following:

- (1) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.
- (2) Application of asphalt, oil, water or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.
- (3) Paving and maintenance of roadways.
- (4) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

(d) [Paragraph (d) of the regulation is not applicable to this facility.]

015 [25 Pa. Code §129.14]**Open burning operations**

(a) Air basins. No person may permit the open burning of material in an air basin.

(b) [Not applicable.]

**SECTION C. Site Level Requirements**

(c) Exceptions: The requirements of subsections (a) and (b) do not apply where the open burning operations result from:

- (1) A fire set to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public officer.
- (2) A fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.
- (3) A fire set for the prevention and control of disease or pests, when approved by the Department.
- (4) [Not applicable]
- (5) [Not applicable]
- (6) A fire set solely for recreational or ceremonial purposes.
- (7) A fire set solely for cooking food.

(d) Clearing and grubbing wastes. The following is applicable to clearing and grubbing wastes:

- (1) As used in this subsection the following terms shall have the following meanings:

Air curtain destructor -- A mechanical device which forcefully projects a curtain of air across a pit in which open burning is being conducted so that combustion efficiency is increased and smoke and other particulate matter are contained.

Clearing and grubbing wastes -- Trees, shrubs, and other native vegetation which are cleared from land during or prior to the process of construction. The term does not include demolition wastes and dirt laden roots.

- (2) [Not applicable]

(3) Subsection (b) notwithstanding clearing and grubbing wastes may be burned outside of an air basin, subject to the following limitations:

(i) Upon receipt of a complaint or determination by the Department that an air pollution problem exists, the Department may order that the open burning cease or comply with subsection (b) of this section.

(ii) Authorization for open burning under this paragraph does not apply to clearing and grubbing wastes transported from an air basin for disposal outside of an air basin.

(4) During an air pollution episode, open burning is limited by Chapter 137 (relating to air pollution episodes) and shall cease as specified in such chapter.

[This permit does not constitute authorization to burn solid waste pursuant to Section 610(3) of the Solid Waste Management Act, 35 P.S. Section 6018.610(3), or any other provision of the Solid Waste Management Act.]

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VIII. COMPLIANCE CERTIFICATION.

The permittee shall submit within thirty days of 12/31/2019 a certificate of compliance with all permit terms and conditions set forth in this Title V permit as required under condition #026 of section B of this permit, and annually thereafter.

IX. COMPLIANCE SCHEDULE.

No compliance milestones exist.



***** Permit Shield In Effect *****

**SECTION D. Source Level Requirements**

Source ID: 031

Source Name: (2) BOILERS FOR SPACE HEATING - 6 MMBTU/HR EACH

Source Capacity/Throughput:

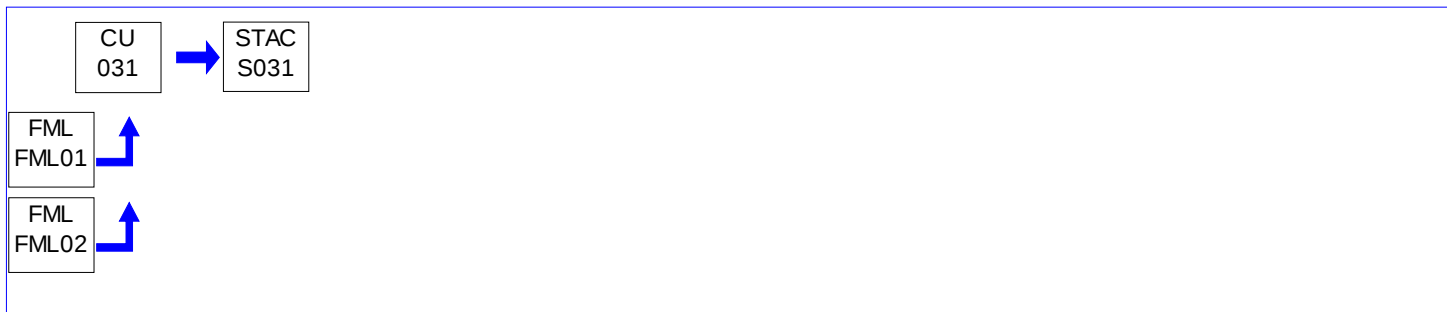
6.000 MMBTU/HR

5.800 MCF/HR

NATURAL GAS

42.900 Gal/HR

NO. 2 FUEL OIL

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.11]****Combustion units**

A person may not permit the emission into the outdoor atmosphere of particulate matter from a combustion unit in excess of the rate of 0.4 pound per million Btu of heat input, when the heat input to the combustion unit in millions of Btus per hour is greater than 2.5 but less than 50.

002 [25 Pa. Code §123.22]**Combustion units**

(a) Not applicable.

(b) Erie; Harrisburg; York; Lancaster; and Scranton, Wilkes-Barre air basins. Combustion units in these subject air basins must conform with the following:

(1) General provision. A person may not permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO₂, from a combustion unit in excess of the rate of 4 pounds per million Btu of heat input over a 1-hour period, except as provided in paragraph (4).

(2) [Paragraph (2) is printed under Fuel Restriction in this section of permit.]

(3) - (4) [Paragraphs (3) and (4) are not applicable.]

(c) - (f) [Paragraphs (c) through (f) of the regulation are not applicable.]

(g) [Paragraph (g) is printed under RECORDKEEPING in this section of permit.]

(h) [Not applicable.]

Fuel Restriction(s).**# 003 [25 Pa. Code §123.22]****Combustion units**

[From 25 Pa. Code §123.22(b)(2):] [For air basins]

(2) Commercial fuel oil.

(i) Except as specified in subparagraphs (ii) and (iii), a person may not offer for sale, deliver for use, exchange in trade or permit the use of commercial fuel oil in the subject air basins if the commercial fuel oil contains sulfur in excess of the applicable maximum allowable sulfur content set forth in the following table:

**SECTION D. Source Level Requirements**

Maximum Allowable Sulfur Content Beginning September 1, 2020,
Expressed as Parts per Million (ppm) by Weight or Percentage by Weight

Grades Commercial Fuel Oil (Consistent with ASTM D396)

No. 2 and lighter oil	15 ppm (0.0015%)
No. 4 oil	2,500 ppm (0.25%)
No. 5, No. 6 and heavier oil	5,000 ppm (0.5%)

(ii) Commercial fuel oil that was stored in this Commonwealth by the ultimate consumer prior to September 1, 2020, which met the applicable maximum allowable sulfur content for commercial fuel oil through August 31, 2020, in subparagraph (i) at the time it was stored, may be used by the ultimate consumer in this Commonwealth on and after September 1, 2020.

004 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The facility shall use No. 2 fuel oil for emergency situations only.

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

005 [25 Pa. Code §123.22]

Combustion units

[Paragraphs (a) through (f) and paragraph (h) of the regulation are printed under Restrictions in this section of the permit.]
[From 25 Pa. Code §123.22(g):]

(g) Recordkeeping and reporting.

(1) Beginning with the refinery owner or operator who sells or transfers commercial fuel oil into or within this Commonwealth for use in this Commonwealth and ending with the ultimate consumer, each time the physical custody of, or title to, a shipment of commercial fuel oil changes hands, the transferor shall provide to the transferee an electronic or paper record described in this paragraph. This record must legibly and conspicuously contain the following information:

- (i) The date of the sale or transfer.
- (ii) The name and address of the transferor.
- (iii) The name and address of the transferee.
- (iv) The volume of commercial fuel oil being sold or transferred.

(v) The identification of the sulfur content of the shipment of commercial fuel oil, determined using the sampling and testing methods specified in subsection (f)(1), expressed as one of the following statements:

**SECTION D. Source Level Requirements**

(A) For a shipment of No. 2 and lighter commercial fuel oil, "The sulfur content of this shipment is 15 ppm or below."

(B) For a shipment of No. 4 commercial fuel oil, "The sulfur content of this shipment is 2,500 ppm or below."

(C) For a shipment of No. 5, No. 6 and heavier commercial fuel oil, "The sulfur content of this shipment is 5,000 ppm or below."

(vi) The location of the commercial fuel oil at the time of transfer.

(vii) Except for a transfer to a truck carrier, an owner or operator of a retail outlet or an ultimate consumer, the transferor may substitute the information required under subparagraphs (i)—(vi) with the use of a product code if the following are met:

(A) The product code includes the information required under subparagraphs (i)—(vi).

(B) The product code is standardized throughout the distribution system in which it is used.

(C) Each downstream party is given sufficient information to know the full meaning of the product code.

(2) - (3) [Not applicable.]

(4) A person subject to this section shall do both of the following:

(i) Maintain the applicable records required under paragraphs (1)—(3) in electronic or paper format for 2 years unless a longer period is required under § 127.511(b)(2) (relating to monitoring and related recordkeeping and reporting requirements).

(ii) Provide an electronic or written copy of the applicable record to the Department upon request.

(5) The ultimate consumer shall maintain in electronic or paper format the record containing the information listed in paragraph (1), except in either of the following situations:

(i) The transfer or use of the commercial fuel oil occurs at a private residence.

(ii) The ultimate consumer is an owner of an apartment or condominium building housing private residents and the transfer or use of the commercial fuel oil occurs for use at the building.

006 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The facility shall keep a record of the hours that the facility fires No. 2 Fuel Oil or any other liquid fuel in either of the boilers.

[This condition assures that records are maintained to demonstrate that the boilers continue to meet the 40 CFR §63.11237 definition of gas-fired boilers and therefore continue to be exempt from 40 CFR Part 63 Subpart JJJJJJ, the NESHAP for ICI Boilers.]

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[From §63.11237

Gas-fired boiler includes any boiler that burns gaseous fuels not combined with any solid fuels and burns liquid fuel only during periods of gas curtailment, gas supply interruption, startups, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of 48 hours during any calendar year.]

**SECTION D. Source Level Requirements****V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

007 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The two boilers shall be maintained and operated in accordance with the manufacturer's specifications and consistent with good air pollution control practices.

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

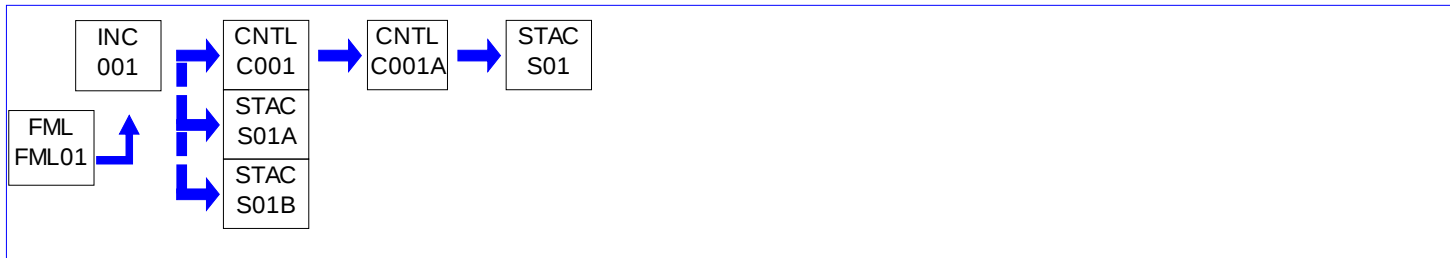
Source ID: 001

Source Name: SEWAGE SLUDGE INCINERATOR 1

Source Capacity/Throughput:	11.250 Tons/HR	SLUDGE
	1.000 Lbs/HR	NATURAL GAS

Conditions for this source occur in the following groups:

- 1 - SEWAGE SLUDGE INCINERATORS
- 2 - FEDERAL STDS FOR SEWAGE SLUDGE
- 3 - PART 60 SUBPART MMMM
- 4 - FEDERAL PLAN PART 62 SUBPART LLL

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

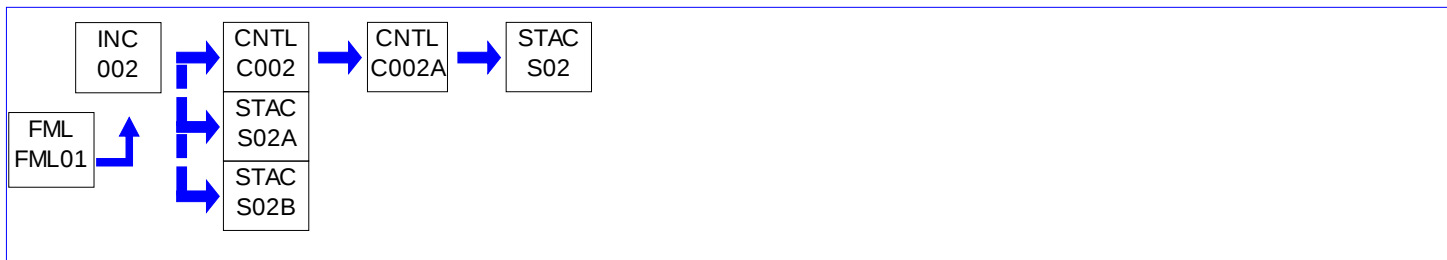
Source ID: 002

Source Name: SEWAGE SLUDGE INCINERATOR 2

Source Capacity/Throughput:	11.250 Tons/HR	SLUDGE
	1.000 Lbs/HR	NATURAL GAS

Conditions for this source occur in the following groups:

- 1 - SEWAGE SLUDGE INCINERATORS
- 2 - FEDERAL STDS FOR SEWAGE SLUDGE
- 3 - PART 60 SUBPART MMMM
- 4 - FEDERAL PLAN PART 62 SUBPART LLL

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

Source ID: 003A

Source Name: 'EXISTING' EMERGENCY GENERATORS, 3 NAT. GAS & 1 DIESEL

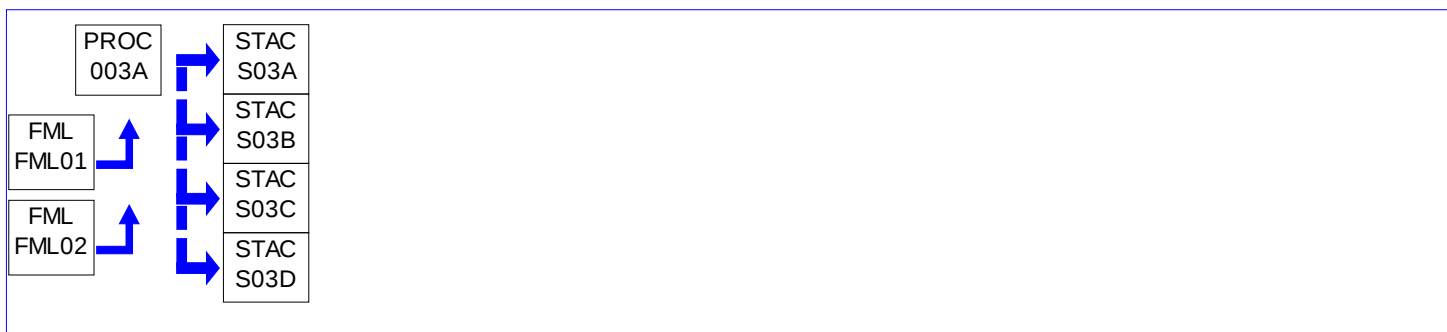
Source Capacity/Throughput:

4.300 MCF/HR

Natural Gas

21.000 Gal/HR

#2 Oil

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.13]****Processes**

No person may permit the emission into the outdoor atmosphere of particulate matter from any process in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot, when the effluent gas volume is less than 150,000 dry standard cubic feet per minute.

002 [25 Pa. Code §123.21]**General**

No person may permit the emission into the outdoor atmosphere of sulfur oxides from a source in a manner that the concentration of the sulfur oxides, expressed as SO₂, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

Fuel Restriction(s).**# 003 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The 215kW Cummins/Onan generator shall be fueled using only natural gas.

[From Plan Approval 25-179D Section D Condition 006]

004 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

Commercial fuel oil. No person may offer for sale, deliver for use, exchange in trade or permit the use of commercial fuel oil in the subject air basins which contain sulfur in excess of the applicable percentage by weight set forth in the following table:

Effective July 1, 2016

Grades Commercial Fuel Oil (Consistent with ASTM D396)

Max Allowable Sulfur Content

No. 2 and Lighter (viscosity less than or equal to 5.820cSt)

500 ppm (0.05%)

Operation Hours Restriction(s).**# 005 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The hours of operation for the 215kW Cummins/Onan generator shall not exceed 500 hours for emergency operation in any consecutive 12-month period.

[From Plan Approval 25-179D Section D Condition 007]

**SECTION D. Source Level Requirements****# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) Total hours of operation for each emergency generator shall not exceed 500 hours in any consecutive 12-month period without prior approval from the Department.

(b) If the combined total of operating hours for maintenance/testing and non-emergency use of any one generator exceeds 100 hours per year as allowed by 40 CFR §63.6640(f), then that engine shall be re-classified as a non-emergency engine for the purposes of 40 CFR Part 63 Subpart ZZZZ and shall comply with all additional applicable requirements of that regulation. Refer to regulation 40 CFR Part 63 Subpart ZZZZ for those additional requirements.

[The 500 hour restriction of Paragraph (a) was requested by the permittee in the July 18, 2001, application for the Title V operating permit.]

007 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6640]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?**

(a) See WORK PRACTICE REQUIREMENTS for this source in this section of permit.

(b) See REPORTING REQUIREMENTS for this source in this section of permit.

(c) - (d) [Not applicable.]

(e) See REPORTING REQUIREMENTS for this source in this section of permit.

(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, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4), 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) 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) - (iii) [Reserved]

(3) [Not applicable.]

(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 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 an electric grid or otherwise supply power as part of a financial arrangement with another entity.

**SECTION D. Source Level Requirements**

(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.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.**# 008 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The permittee shall maintain records, on a monthly basis, of the hours of operation for the 215kW Cummins/Onan generator. For each month, the monthly total shall be added to the totals from the previous 11 months to form a 12 consecutive month rolling total.

[From Plan Approval 25-179D Section D Condition 009]

009 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall maintain records of at least one of the following for the liquid fuel:

1. A fuel analysis of the btu value and sulfur content (% by weight) conducted on each shipment of fuel oil received, as prescribed in 25 PA Code Chapter 139.

**SECTION D. Source Level Requirements**

2. Written certification from the fuel oil supplier which certifies the aforesaid fuel characteristics for each shipment delivered to the facility.

010 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall maintain records of the monthly hours of operation for each generator.

011 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6655]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****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) - (4) Not applicable.

(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) - (c) Not applicable.

(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. [See WORK PRACTICE REQUIREMENTS in this section of permit for Table 6.]

(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) Not applicable.

(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. [See WORK PRACTICE REQUIREMENTS in this section of permit for Table 2d.]

(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)(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. [See 'Operation Hours Restrictions' in RESTRICTIONS of this section of permit for §63.6640(f).]

(1) Not applicable.

(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.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70518, Aug. 30, 2024]

012 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6660]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines**

**SECTION D. Source Level Requirements****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).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

V. REPORTING REQUIREMENTS.**# 013 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6640]****Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?**

- (a) See WORK PRACTICE REQUIREMENTS for this source in this section of permit.
- (b) You must report each instance in which you did not meet each emission limitation or operating limitation in 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. [Non-applicable text omitted from this paragraph.] [See WORK PRACTICE REQUIREMENTS in this section of permit for Table 2d.]
- (c) - (d) [Not applicable.]
- (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. [Non-applicable text omitted from this paragraph.] [Refer to regulation for Table 8 to 40 CFR Part 63 Subpart ZZZZ -- Applicability of General Provisions (of Part 63) to Subpart ZZZZ.]
- (f) See RESTRICTIONS for this source in this section of permit.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

014 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6650]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What reports must I submit and when?**

- (a) - (g) Not applicable.
- (h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP 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 in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).

**SECTION D. Source Level Requirements**

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v) -(vi) [Reserved]

(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) Before February 26, 2025, 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) (<https://cdx.epa.gov/>). 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. Beginning on February 26, 2025, the annual report must be submitted according to paragraph (i) of this section.

(i) Beginning on February 26, 2025 for the annual report specified in § 63.6650(h) and February 26, 2025 or one year after the report becomes available in CEDRI, whichever is later for all other semiannual or annual reports, submit all semiannual and annual subsequent compliance reports using the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for this subpart and following the procedure specified in § 63.9(k), except any CBI must be submitted according to the procedures in § 63.6645(h). The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70517, Aug. 30, 2024]

VI. WORK PRACTICE REQUIREMENTS.**# 015 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The source shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

016 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63 Subpart ZZZZ Table 2d]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions****TABLE 2d**

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:

[Categories 4 and 5 of Table 2d apply. Non-applicable text and non-applicable categories are omitted.]

4. For each Emergency stationary CI [Compression Ignition engine] RICE (See note 2.),

you must meet the following requirement, except during periods of startup . . .

**SECTION D. Source Level Requirements**

- a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; (see note 1)
- b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first; and
- c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.

5. For each Emergency stationary SI [Spark Ignition engine] RICE; (see note 2)

You must meet the following requirement, except during periods of startup . . .

- a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; (See note 1.)
- b. Inspect spark plugs every 1,000 hours of operation or 1 year + 30 days of the previous inspection, whichever comes first; and
- c. Inspect all hoses and belts every 500 hours of operation or 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.

Notes:

- 1 Sources 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.
- 2 If 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.

[75 FR page 9688, Mar. 3, 2010; 75 FR page 51595, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 89 FR 70520, Aug. 30, 2024]

017 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63 Subpart ZZZZ Table 6]

Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Table 6 to Subpart ZZZZ of Part 63.-- Continuous Compliance With Emission Limitations and Operating Limitations

TABLE 6

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:

[Category 9 of Table 6 to Part 63 Subpart ZZZZ applies. Applicable requirements from Table 6 are included here. Non-applicable text from Table 6 is omitted.]

For each existing emergency stationary RICE located at an area source of HAP, complying with the Work or Management practices requirement, you must demonstrate continuous compliance by . . .

- 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.

**SECTION D. Source Level Requirements**

[76 FR 12870, Mar. 9, 2011; 78 FR 6700, Jan. 30, 2013]

018 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6603]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****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?**

§ 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?

[Non-applicable introductory text to this subsection is omitted from this permit condition.]

(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. [Non-applicable text is omitted from this paragraph.]

(b) - (f) Not applicable.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6700, Jan. 30, 2013; 89 FR 70515, Aug. 30, 2024]

019 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6605]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****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.

[75 FR 9675, Mar. 3, 2010; 78 FR 6700, Jan. 30, 2013]

020 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6625]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What are my monitoring, installation, operation, and maintenance requirements?**

(a) - (d) Not applicable.

(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) - (2) Not applicable;

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(4) - (10) Not applicable.

**SECTION D. Source Level Requirements**

(f) If you own or operate 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. [Non-applicable text omitted from this paragraph.]

(g) Not applicable.

(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. [Tables 1a, 2a, 2c do not apply to the emergency engines of this source; Categories 4 and 5 of Table 2d apply.]

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in item 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 Table 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 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 and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter 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 and filter 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 and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine. [Non-applicable text is omitted from this paragraph.]

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in item 5 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 Table 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in Table 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 and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter 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 and filter 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. [Non-applicable text is omitted from this paragraph.]

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6700, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

021 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6640]

Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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 Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart. [Non-applicable text omitted from this paragraph.]

(b) See REPORTING REQUIREMENTS for this source in this section of permit.

(c) - (d) [Not applicable.]

**SECTION D. Source Level Requirements**

(e) See REPORTING REQUIREMENTS for this source in this section of permit.

(f) See RESTRICTIONS for this source in this section of permit.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

VII. ADDITIONAL REQUIREMENTS.

022 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63 Subpart ZZZZ Table 8]

Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Table 8 to Subpart ZZZZ of Part 63.-- Applicability of General Provisions to Subpart ZZZZ

Refer to regulation for Table 8 to 40 CFR Part 63 Subpart ZZZZ -- Applicability of General Provisions to Subpart ZZZZ.

[89 FR 70522, Aug. 30, 2024]

023 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6595]

Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

When do I have to comply with this subpart?

(a) Affected sources.

(1) [Non-applicable text omitted from this paragraph.] If you have an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013. If you have an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than October 19, 2013.

(2) - (7) Not applicable.

(b) - (c) Not applicable.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013]

024 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6665]

Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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. [Non-applicable text omitted from this paragraph.]

[75 FR 9678, Mar. 3, 2010]

025 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6675]

Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

What definitions apply to this subpart?

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. [See 'Operation Hours Restrictions' in RESTRICTIONS of this section of permit for §63.6640(f).]

(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

**SECTION D. Source Level Requirements**

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)(4)(i) or (ii).

[Refer to regulation for remaining definitions applicable to 40 CFR Part 63 Subpart ZZZZ.]

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008; 75 FR 9679, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 76 FR 12867, Mar. 9, 2011; 78 FR 6700, Jan. 30, 2013; 87 FR 48608, Aug. 10, 2022]

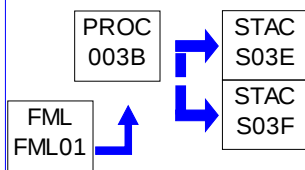
***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

Source ID: 003B

Source Name: 'NEW' EMERGENCY GENERATORS, NAT. GAS, (2)

Source Capacity/Throughput: 281.000 MCF/HR Natural Gas

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.13]****Processes**

No person may permit the emission into the outdoor atmosphere of particulate matter from any process in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot, when the effluent gas volume is less than 150,000 dry standard cubic feet per minute.

002 [25 Pa. Code §123.21]**General**

No person may permit the emission into the outdoor atmosphere of sulfur oxides from a source in a manner that the concentration of the sulfur oxides, expressed as SO₂, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60 Subpart JJJJ Table 1] Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines Table 1 to Subpart JJJJ of Part 60.--

Table 1 to Subpart JJJJ of Part 60 -- NO_x, 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

For Emergency Engine and Maximum engine power of 25 < HP < 130 and Manufacture date after 1/1/2009, Emission Standards are:

NO_x + HC: 10 g/hp-hr (See note c)
CO: 387 g/hp-hr

Notes:

note a [Not applicable.]

note b [Not applicable.]

note c The emission standards applicable to emergency engines between 25 HP and 130 HP are in terms of NO_x + HC.

note d [Not applicable.]

[76 FR 37975, June 28, 2011]

004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4233]**Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines****What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?**

(a) - (c) [Not applicable.]

(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. [Non applicable text from regulation is omitted from this paragraph.]

**SECTION D. Source Level Requirements**

(e) - (h) [Not applicable.]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37973, June 28, 2011]

005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4234]

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

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.

[Source: 73 FR 3591, Jan. 18, 2008]

Fuel Restriction(s).

006 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The 2 Kohler model 14/20RESAL standby generators, rated at 20.2 kW, shall only be fueled with natural gas.

[This fuel restriction is from the May 3, 2017, RFD approval.]

Operation Hours Restriction(s).

007 [25 Pa. Code §127.441]

Operating permit terms and conditions.

(a) Total hours of operation for each emergency generator shall not exceed 500 hours in any consecutive 12-month period without prior approval from the Department.

(b) If the combined total of operating hours for maintenance/testing and non-emergency use of any one generator exceeds 100 hours per year as allowed by 40 CFR §60.4243(d)(2), then that engine shall be re-classified as a non-emergency engine for the purposes of 40 CFR Part 60 Subpart JJJJ and shall comply with all additional applicable requirements of that regulation. Refer to regulation 40 CFR Part 60 Subpart JJJJ for those additional requirements.

[This operating hour restriction is from the October 2017 Title V operating permit renewal application.]

008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4243]

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

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

(a) – (c) [Paragraphs (a) through (c) are printed under RECORDKEEPING in this section of permit.]

(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, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (d)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (d)(1) through (3), 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

**SECTION D. Source Level Requirements**

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) - (iii) [Reserved]

(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 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) [Not applicable.]

(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) [Paragraph (f) is printed under WORK PRACTICES in this section of permit.]

(g) - (i) [Paragraphs 60.4243(g) through (i) are not applicable to this source.]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011; 78 FR 6697, Jan. 30, 2013; 86 FR 34362, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

009 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The permittee shall maintain records of the monthly hours of operation for each generator.

010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4243]

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

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

**SECTION D. Source Level Requirements**

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) [Paragraph 60.4243(b)(2) is not applicable to this source.]

(c) [Paragraph 60.4243(c) is not applicable to this source.]

(d) - (e) [Paragraphs (d) and (e) are printed under RESTRICTIONS in this section of permit.]

(f) [Paragraph (f) is printed under WORK PRACTICES in this section of permit.]

(g) - (i) [Paragraphs 60.4243(g) through (i) are not applicable to this source.]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011; 78 FR 6697, Jan. 30, 2013; 86 FR 34362, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4245]**Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines****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.

**SECTION D. Source Level Requirements**

(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 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 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 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. [Non-applicable text is omitted from this paragraph.]

(c) - (e) [Paragraphs (c) through (e) of the regulation are not applicable to this source.]

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 78 FR 6697, Jan. 30, 2013; 81 FR 59809, Aug. 30, 2016; 86 FR 34362, June 29, 2021; 87 FR 48606, Aug. 10, 2022; 89 FR 70514, Aug. 30, 2024]

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

012 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The source shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4237]

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

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

(a) - (b) Not applicable.

(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.

[Source: 73 FR 3591, Jan. 18, 2008]

014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4243]

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

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

(a) - (c) [Paragraphs (a) through (c) are printed under RECORDKEEPING in this section of permit.]

(d) - (e) [Paragraphs (d) and (e) are printed under RESTRICTIONS in this section of permit.]

(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 undergoes rebuild, major repair or maintenance. Engine rebuilding means to overhaul an

**SECTION D. Source Level Requirements**

engine or to otherwise perform extensive service on the engine (or on a portion of the engine or engine system). For the purpose of this paragraph (f), perform extensive service means to disassemble the engine (or portion of the engine or engine system), inspect and/or replace many of the parts, and reassemble the engine (or portion of the engine or engine system) in such a manner that significantly increases the service life of the resultant engine.

(g) - (i) [Paragraphs 60.4243(g) through (i) are not applicable to this source.]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011; 78 FR 6697, Jan. 30, 2013; 86 FR 34362, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

VII. ADDITIONAL REQUIREMENTS.

015 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4246]

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

What parts of the General Provisions apply to me?

(a) Table 3 to this subpart shows which parts of the General Provisions in § 60.1 through 60.19 apply to you. [See regulation for Table 3 of 40 CFR Part 60 Subpart JJJJ.]

(b) The provisions of 40 CFR 1068.10 and 1068.11 apply for engine manufacturers. For others, the general confidential business information (CBI) provisions apply as described in 40 CFR part 2.

[Source: 73 FR 3591, Jan. 18, 2008; 88 FR 4471, Jan. 24, 2023]

***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

Source ID: 004

Source Name: #2 OIL STORAGE TANK (25,000 GALS)

Source Capacity/Throughput:

1.000 Gal/HR

2 FUEL OIL

PROC
004STAC
S004**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

Source ID: 108

Source Name: 4 PASS AERATION TANKS (5)

Source Capacity/Throughput:

1.000 Gal/HR

SLUDGE

PROC
108STAC
Z108**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The source shall be maintained and operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

***** Permit Shield in Effect. *****

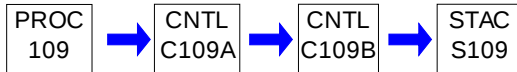
**SECTION D. Source Level Requirements**

Source ID: 109

Source Name: ASH LOADOUT

Source Capacity/Throughput: 30.000 Tons/HR ASH

Conditions for this source occur in the following groups: 3 - PART 60 SUBPART MMMM
4 - FEDERAL PLAN PART 62 SUBPART LLL

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

VI. WORK PRACTICE REQUIREMENTS.**# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The permittee shall operate the control device at all times that the source is in operation.

(b) The permittee shall maintain and operate the control device in accordance with the manufacturer's specifications.

[From RFD approved on December 2, 2011.]

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

***** Permit Shield in Effect. *****

**SECTION E. Source Group Restrictions.**

Group Name: 1 - SEWAGE SLUDGE INCINERATORS

Group Description: Operating Permit and Plan Approval Conditions for Sources 001 & 002

Sources included in this group

ID	Name
001	SEWAGE SLUDGE INCINERATOR 1
002	SEWAGE SLUDGE INCINERATOR 2

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [25 Pa. Code §123.12]****Incinerators**

No person may permit the emission to the outdoor atmosphere of particulate matter from any incinerator, at any time, in such a manner that the particulate matter concentration in the effluent gas exceeds 0.1 grain per dry standard cubic foot, corrected to 12% carbon dioxide.

002 [25 Pa. Code §123.21]**General**

[The 500 ppm §123.21 sulfur oxides emission limit for these sources is streamlined out of this permit in favor of the more restrictive 26 ppm SO₂ emission limit of Table 3 to 40 CFR Part 60 Subpart M.]

003 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Emission limits for Sources 001 and 002 are as follows:

- (a) Carbon monoxide - 49.62 kg/hr for sources 001 and 002 combined.
- (b) Nitrogen oxides - 9.96 kg/hr for sources 001 and 002 combined.
- (c) Particulate matter - 1.74 kg/hr for sources 001 and 002 combined.
- (d) Sulfur oxides - 0.26 kg/hr for sources 001 and 002 combined.
- (e) Lead - 0.002 kg/hr for sources 001 and 002 combined.
- (f) Cadmium - 0.002 kg/hr for sources 001 and 002 combined.
- (g) Mercury - 0.003 kg/hr for sources 001 and 002 combined.
- (h) Hydrochloric acid - 0.03 kg/hr for sources 001 and 002 combined.
- (i) Total Dioxins - 0.000000727 kg/hr for sources 001 and 002 combined.
- (j) Total Furans - 0.00000128 kg/hr for sources 001 and 002 combined.

[The above emission limits are to show that the facility does not operate 'modified sewage sludge incineration units' as defined in 40 CFR §§ 60.4930 & 60.5250 and is subject to 40 CFR Part 60 Subpart M and is not subject to Part 60 Subpart L. These values are based on pre-project potential hourly emissions. This data is summarized in Table B-3 of Attachment B to a August 14, 2012, letter received by the Department from Senior Environmental Engineer Ebenezer Sada of Malcolm Pirnie/Arcadis U.S., Inc., the environmental consulting firm for Erie Sewer Authority.]

[From Plan approval 25-179C, Section E, Source Group 4, Condition #002.]

004 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

This facility will be limited to 53.8 tons per year of NO_x emissions for Sources 001 and 002 combined.

**SECTION E. Source Group Restrictions.**

[This limit is to show compliance with 25 Pa. Code §127.203a(a)(5)(iii)(A).]
[This value comes from Table 2-A(REV), submitted by Ebenezer Sada of Malcolm Pirnie, ARCADIS on June 15, 2012.]
[From Plan approval 25-179C, Section E, Source Group 4, Condition # 001.]

Throughput Restriction(s).**# 005 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) The maximum dry sludge feed rate for each sewage sludge incinerator operating one at a time will be the rated capacity of 2.10 dry tons per hour.

(b) The maximum dry sludge feed rate for the facility is 2.60 dry tons per hour total.

[The throughput limit is to show that the modifications to the sewage sludge incinerators are not considered a modification as defined in 40 CFR §§ 60.4930 & 60.5250. The values are based on the design basis for the centrifuges which was outlined in an August 14, 2012, letter to the Department from Senior Environmental Engineer Ebenezer Sada of Malcolm Pirnie/ARCADIS U.S., Inc., the environmental consulting firm for Erie Sewer Authority. For (a) refer to Table 3 on page 6 of 8. For (b) refer to Table 2 on page 5 of 8; (1.3 tons/hour * 2)]

[From Plan approval 25-179C, Section E, Source Group 4, Condition # 003]

006 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

(a) The permittee shall limit the sludge charge rate to the incinerator to 7.28 wet tons per hour. (based on the May 1998 and January 2007 feed rates during the stack tests including a margin as proposed in a June 29, 2007, letter from the facility representative).

(b) The permittee shall not exceed the sludge charge rate in paragraph (a) above without demonstrating compliance with an increased sludge rate by performing stack tests at the increased sludge rate and receiving approval for the increase from the Department.

(c) The permittee shall not exceed the sludge charge rate of 11.25 wet tons per hour (based on the incinerator rated capacity) unless a Plan Approval is obtained from the Department for the modification to the incinerator.

II. TESTING REQUIREMENTS.**# 007 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) Within 60 days after achieving the normal production rate at which the affected source will be operated, but not later than 180 days after initial start-up of the source/control device, a stack test shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. The stack test shall be performed while the aforementioned source is operating at the maximum or normal rated capacity as stated on the application. For testing purposes, the facility shall be operating at 1.30 tons per hour of dry sludge. The stack test shall be conducted for total particulate matter (both filterable and condensable), carbon monoxide, nitrogen oxides, sulfur oxides, lead, cadmium, mercury, hydrochloric acid, total dioxins and total furans, using methods approved by the Department.

(1) [From 25 Pa. Code § 139.53(a)(3)] At least 90 calendar days prior to commencing an emissions testing program, a test protocol shall be submitted to the Department's Division of Source Testing and Monitoring and two copies to the Northwest Regional Office Department for review and approval. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(2) [From 25 Pa. Code § 139.53(a)(3)] At least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the Northwest Regional Office. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

**SECTION E. Source Group Restrictions.**

(3) [From 25 Pa. Code § 139.53(a)(3)] Within 15 calendar days after completion of the on-site testing portion of an emission test program, if a complete test report has not yet been submitted, an electronic mail notification shall be sent to the Department's Division of Source Testing and Monitoring and the Northwest Regional Office indicating the completion date of the on-site testing.

(4) [40 CFR Part 60.8(a), 40 CFR Part 61.13(f) and 40 CFR Part 63.7(g)] A complete test report shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an emission test program. For those tests being conducted pursuant to 40 CFR Part 61, a complete test report shall be submitted within 31 days after completion of the test.

(5) [Authority from 25 Pa. Code Section 139.53(b)] A complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or noncompliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:

(i) A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings.

(ii) Permit number(s) and condition(s) which are the basis for the evaluation.

(iii) Summary of results with respect to each applicable permit condition.

(iv) Statement of compliance or non-compliance with each applicable permit condition.

(6) [25 Pa. Code § 139.3] All submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(7) All testing shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

(8) [25 Pa. Code Section 139.53(a)(1) and 139.53(a)(3)] The Department requires one electronic copy of all source test submissions (protocols and reports) to be sent to both the appropriate Regional Office and the PSIMS Administrator in Central Office (mail and email addresses are provided below). Do not send submissions to anyone else, except the U.S. EPA, unless specifically directed to do so. To minimize the potential for rescheduling of the test, all protocols must be received at least 90 days prior to testing. Test reports must be received no later than 60 days after the completion of testing, unless a more stringent regulatory requirement applies. Any questions or concerns about source testing submissions can be sent to RA-EPstacktesting@pa.gov and the PSIMS Administrator will address them.

Electronic copies of Protocols and Reports shall be emailed to the following:

Central Office
RA-EPstacktesting@pa.gov

Northwest Region
RA-EPNWstacktesting@pa.gov

Notifications and Supplemental Information shall be submitted to the following:

OnBase Submittal
<http://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>

(9) The permittee shall ensure all federal reporting requirements contained in the applicable subpart of 40 CFR are followed, including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the federal, the most stringent provision, term, condition, method or rule shall be used by default.

(10) Actions Related to Noncompliance Demonstrated by a Stack Test:

**SECTION E. Source Group Restrictions.**

(i) If the results of a stack test, performed as required by this approval, exceed the level specified in any condition of this approval, the Permittee shall take appropriate corrective actions. Within 30 days of the Permittee receiving the stack test results, a written description of the corrective actions shall be submitted to the Department. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. The Department shall notify the Permittee within 30 days, if the corrective actions taken are deficient. Within 30 days of receipt of the notice of deficiency, the Permittee shall submit a description of additional corrective actions to the Department. The Department reserves the authority to use enforcement activities to resolve noncompliant stack tests.

(ii) If the results of the required stack test exceed any limit defined in this plan approval, the test was not performed in accordance with the stack test protocol or the source and/or air cleaning device was not operated in accordance with the plan approval, then another stack test shall be performed to determine compliance. Within 120 days of the Permittee receiving the original stack test results, a retest shall be performed. The Department may extend the retesting deadline if the Permittee demonstrates, to the Department's satisfaction, that retesting within 120 days is not practicable. Failure of the second test to demonstrate compliance with the limits in the plan approval, not performing the test in accordance with the stack test protocol or not operating the source and/or air cleaning device in accordance with the plan approval may be grounds for immediate revocation of the plan approval to operate the affected source.

(b) In addition to the stack testing required by this condition, the facility shall conduct subsequent performance testing within 6 to 12 months prior to the Title V operating permit expiration, for total particulate matter (both filterable and condensable) using EPA Methods 5 and 202 or other methods approved by the Department and in accordance with the provisions of Chapter 139 (relating to sampling and testing). For testing purposes, the facility shall be operating at greater than 8 tons per hour.

[From Plan approval 25-179C, Section E, Source Group 4, Condition # 004 and revised in the 2025 renewal permit to reflect standardization for testing and submitting.]

008 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

(a) The permittee shall perform a stack test at maximum rated capacity, following the procedures in 25 PA Code Chapter 139, at least 12 months prior to the permit expiration. The stack test shall, at a minimum, test for particulate matter using EPA Method 5 as stated in 40 CFR §60.154(b).

(b) The permittee shall report the results as required in 25 PA Code Chapter 139 including, but not limited to, the following:

- (1) Emission concentration (grains/dscf)
- (2) Emission rate (lbs/ton of dry sludge input) as determined in 40 CFR §60.154(b)(1), in order to determine compliance with 40 CFR Section §60.153 (a)(1).

(c) The permittee shall submit to the Department a pretest protocol 90 days prior to stack testing, in accordance with 25 PA Code Chapter 139.

(d) The permittee shall notify the Department 2 weeks prior to the date of the scheduled stack test.

(e) The permittee shall submit to the Department the stack test results within 60 days after completion of the stack test.

III. MONITORING REQUIREMENTS.**# 009 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

Control device monitoring gauges shall be installed in accordance with the plan approval application. Gauges shall be installed in accessible locations and shall be maintained in workable, readable condition at all times.

[From plan approval 25-301-064A Condition #5]

010 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

(a) The pressure drop across the combined venturi scrubber and impingement scrubber shall range from 14.0 to 22.0 inches water column.

**SECTION E. Source Group Restrictions.**

[From Plan Approval 25-179B, Section D, Sources 001 & 002, Condition # 007.]

(b) Compliance with paragraph (a) of this condition will be based on an hourly average with a minimum of four readings per hour.

IV. RECORDKEEPING REQUIREMENTS.**# 011 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

Daily records shall be maintained of process parameters. Records shall be made available to the Department upon request.

[From plan approval 25-301-064A Condition #7]

012 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall keep adequate records to clearly demonstrate to the Department that the emission limits from Plan approval 25-179C (printed above in this Source Group in this section of the permit) are not exceeded.

[This condition is to show that the facility does not operate 'modified sewage sludge incineration units' as defined in 40 CFR §§ 60.4930 & 60.5250 and is subject to 40 CFR Part 60 Subpart MMMM and is not subject to Part 60 Subpart LLLL.]

[From Plan approval 25-179C, Section E, Source Group 4, Condition # 005.]

013 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall maintain records of the hourly average of the sludge charge rate to the incinerator. These records must be maintained for 5 years and be made available to the Department upon request.

014 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

(a) The permittee shall maintain a record of all preventative maintenance inspections of the control devices. These records shall, at a minimum, contain:

- (1) the dates of the inspections,
- (2) any problems or defects,
- (3) the actions taken to correct the problem or defects,
- (4) and any routine maintenance performed.

(b) The permittee shall maintain records of the following from the operational inspections for the scrubber:

- (1) Scrubbing liquid flow rate
- (2) Pressure drop
- (3) Outlet gas temperature

(c) The permittee shall maintain records of the following from the operational inspections for the ESP:

- (1) Primary voltage and current
- (2) Secondary voltage and current

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VI. WORK PRACTICE REQUIREMENTS.**# 015 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

(a) The permittee shall perform a daily operational inspection of the control devices.

**SECTION E. Source Group Restrictions.**

- (b) The permittee shall maintain a manometer or similar device to measure the pressure drop across the scrubbing system (venturi scrubber and impingement scrubber) as required in 40 CFR §60.153(b)(1).
- (c) The permittee shall maintain a rotometer or similar device to measure water flow rates to the venturi and impingement scrubbers.
- (d) The permittee shall operate the control devices at all times that the source is in operation.
- (e) The permittee shall maintain and operate the source and control devices in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

VII. ADDITIONAL REQUIREMENTS.**# 016 [25 Pa. Code §139.101]****General requirements.**

This section applies to monitoring systems as defined in the manual referenced at 25 PA Code 139.102(3) (relating to references), installations required or approved under 25 PA Code Chapters 122, 124, 127 and 129 or in an order issued under section 4 of the act (35 P. S. 4004).

(1) The submittal procedures specified in the publication entitled "Continuous Source Monitoring Manual," available from the Department shall be utilized to obtain Department approval. This publication includes:

- (i) Installation requirements.
- (ii) Performance specifications.
- (iii) Test procedures.
- (iv) Reporting requirements.
- (v) Quality assurance requirements.
- (vi) Administrative procedures for obtaining Department approval.

(2) The monitoring system installation, certification and operation shall be conducted under the direct supervision of persons qualified by training and experience.

(3) The monitoring systems may be designed to monitor source emissions or stack emissions if the representativeness of emissions can be verified. The method of conversion of monitoring results to source or stack emissions shall be approved by the Department.

(4) The location of monitoring devices shall be approved by the Department prior to installation. The selection of the monitoring location shall utilize applicable criteria in the manual referenced in 25 PA Code 139.102(3). The Department has the authority to determine which of the criteria are applicable. The representativeness of the measurements at the chosen monitoring location shall be verified.

(5) The owner of a monitored source shall maintain records containing monitoring information and report data to the Department as specified in the manual referenced in 25 PA Code 139.102(3). The records shall be maintained for 5 years and be available for inspection by Department personnel.

(6) The owner of a monitored source shall provide permanent sampling facilities as specified in 25 PA Code 139.1 (relating to sampling facilities) to permit verification testing by the Department. For extractive monitors, calibration gas inlets shall be available as near as possible to the monitor probe inlet to permit the Department to verify calibration of the monitoring system. Facilities shall be approved by the Department prior to construction.

(7) Verification testing for monitoring systems shall be in accordance with Subchapter B (relating to monitoring duties of certain sources), and of the manual referenced in 25 PA Code 139.102(3).

**SECTION E. Source Group Restrictions.**

(8) A quality assurance program shall be established and maintained by the owner of the monitored source. This program shall be in accordance with the criteria in the sources listed in 25 PA Code 139.102.

(9) The Department's approval will be based on the criteria specified in the manual referenced in 25 PA Code 139.102(3). Failure to utilize the specified procedures or to conduct the quality assurance program could result in denying or rescinding the Department's approval.

(10) The owner of a monitored source shall notify the Department when the monitoring system is inoperative for more than 1 hour during an air pollution episode as specified in 25 PA Code Chapter 137 (relating to air pollution episodes). The notice shall be given within 2 hours of the malfunction.

(11) Manual sampling conducted under Subchapter B may be required if the Department determines that the monitoring system data is not accurate or that the owner of the monitored source does not conduct the quality assurance program specified in the manual referenced in 25 PA Code 139.102(3).

(12) Required monitoring shall meet at least one of the following minimum data availability requirements unless other data availability requirements are stipulated elsewhere in this title, in a plan approval or permit condition under 25 PA Code Chapter 127 (relating to construction, modification, reactivation and operation of sources), or in an order issued under section 4 of the act. For purposes of calculating data availability, "process down" time, as specified in the manual referenced in 25 PA Code 139.102(3), shall be considered valid time.

(i) In each calendar month, at least 90% of the time periods for which an emission standard or an operational parameter applies shall be valid as set forth in the quality assurance section of the manual referenced in 25 PA Code 139.102(3).

(ii) In each calendar quarter, at least 95% of the hours during which the monitored source is operating shall be valid as set forth in the quality assurance section of the manual referenced in 25 PA Code 139.102(3).

(13) The monitor results shall be expressed in terms of the applicable standard or criteria required. The method used to convert monitor data shall be approved by the Department.

(14) Monitoring systems shall comply with the applicable performance specifications section of the manual referenced in 25 PA Code 139.102(3). The Department has the authority to determine which of the performance specifications are applicable.

(15) Verification of calibration standards shall be conducted in accordance with the applicable sampling methods in the Department's "Source Testing Manual" or as otherwise approved by the Department. The "Source Testing Manual" may be obtained from the Department.

(16) The requirements of this section apply to monitoring to demonstrate compliance with emissions standards and process operational parameter criteria.

017 [25 Pa. Code §139.52]**Monitoring methods and techniques.**

Persons responsible for the operation of sources subject to monitoring requirements established by order, by condition of plan approval or permit, or under this subchapter, shall:

(1) Conduct source testing or air sampling and perform analyses in accordance with the requirements of Subchapter A (relating to sampling and testing methods and procedures), or shall install, operate and maintain a device approved by the Department for installation in a flue for the purpose of continuous measurement of specific air contaminants.

(2) Perform visible emission observations in accordance with the methods for observing and recording visible emissions established pursuant to 25 PA Code Chapter 123 (relating to standards for contaminants); provided, however, visible emissions discharged through a flue may also be monitored by use of a device approved by the Department for installation in a stack for the purpose of measuring opacity.

**SECTION E. Source Group Restrictions.****# 018 [25 Pa. Code §139.53]****Filing monitoring reports.**

(a) Persons responsible for the operation of sources subject to monitoring requirements established by order, by condition of plan approval or permit or under this subchapter, shall submit periodic reports of the results of tests, samples or observations conducted, obtained or made in accordance with the methods or techniques referenced in 25 PA Code 139.52 (relating to monitoring methods and techniques). The reports shall be:

- (1) Submitted on forms supplied or in a format specified by the Department.
- (2) Sworn by the person exercising managerial responsibility over the operation of the source for which monitoring is required.
- (3) Submitted on the schedule established by order, condition of plan approval or permit or this subchapter.
- (4) Submitted to the Regional Air Pollution Control Engineer for the region of the Department in which the source is located.

(b) In addition to the information required by subsection (a) the Department may, by use of a standard form or by written notice, require information regarding test methods, test conditions, operating conditions of the source or other information which may be necessary to properly evaluate the results of emissions monitoring performed at a source.

***** Permit Shield in Effect. *****

**SECTION E. Source Group Restrictions.**

Group Name: 2 - FEDERAL STDS FOR SEWAGE SLUDGE

Group Description: 40 CFR Part 60 Subparts A & O; Part 61 Subparts A, C, & E; Part 503 Subpart E

Sources included in this group

ID	Name
001	SEWAGE SLUDGE INCINERATOR 1
002	SEWAGE SLUDGE INCINERATOR 2

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [40 CFR Part 503 Standards for the Use or Disposal of Sewage Sludge §40 CFR 503.43]****Subpart E - Incineration****Pollutant limits.**

(a) Firing of sewage sludge in a sewage sludge incinerator shall not violate the requirements in the National Emission Standard for Beryllium in subpart C of 40 CFR part 61.

(b) Firing of sewage sludge in a sewage sludge incinerator shall not violate the requirements in the National Emission Standard for Mercury in subpart E of 40 CFR part 61.

(c) Pollutant limit -- lead.

(1) The average daily concentration for lead in sewage sludge fed to a sewage sludge incinerator shall not exceed the concentration calculated using Equation (4).

$$C = \{(0.1) \times (\text{NAAQS}) \times 86,400\} / \{(DF) \times [1 - (CE)] \times (SF)\} \quad \text{Eq. (4)}$$

Where:

C = Average daily concentration of lead in sewage sludge.

NAAQS = National Ambient Air Quality Standard for lead in micrograms per cubic meter.

DF = Dispersion factor in micrograms per cubic meter per gram per second.

CE = Sewage sludge incinerator control efficiency for lead in hundredths.

SF = Sewage sludge feed rate in metric tons per day (dry weight basis).

(2) The dispersion factor (DF) in equation (4) shall be determined from an air dispersion model in accordance with § 503.43(e).

(i) When the sewage sludge stack height is 65 meters or less, the actual sewage sludge incinerator stack height shall be used in the air dispersion model to determine the dispersion factor (DF) for equation (4).

(ii) When the sewage sludge incinerator stack height exceeds 65 meters, the creditable stack height shall be determined in accordance with 40 CFR 51.100(ii) and the creditable stack height shall be used in the air dispersion model to determine the dispersion factor (DF) for equation (4).

(3) The control efficiency (CE) for equation (4) shall be determined from a performance test of the sewage sludge incinerator in accordance with § 503.43(e).

(d) Pollutant limit -- arsenic, cadmium, chromium, and nickel.

(1) The average daily concentration for arsenic, cadmium, chromium, and nickel in sewage sludge fed to a sewage sludge incinerator each shall not exceed the concentration calculated using equation (5).

$$C = \{(RSC) \times 86,400\} / \{(DF) \times [1 - (CE)] \times (SF)\} \quad \text{Eq. (5)}$$

Where:

C = Average daily concentration of arsenic, cadmium, chromium, or nickel in sewage sludge.

**SECTION E. Source Group Restrictions.**

CE = Sewage sludge incinerator control efficiency for arsenic, cadmium, chromium, or nickel in hundredths.
DF = Dispersion factor in micrograms per cubic meter per gram per second.
RSC = Risk specific concentration for arsenic, cadmium, chromium, or nickel in micrograms per cubic meter.
SF = Sewage sludge feed rate in metric tons per day (dry weight basis).

(2) The risk specific concentrations for arsenic, cadmium, and nickel used in equation (5) shall be obtained from Table 1 of § 503.43.

Table 1 of § 503.43—Risk Specific Concentration for Arsenic, Cadmium, and Nickel

Pollutant	Risk specific concentration (micrograms per cubic meter)
Arsenic	0.023
Cadmium	0.057
Nickel	2.0

(3) The risk specific concentration for chromium used in equation (5) shall be obtained from Table 2 of § 503.43 or shall be calculated using equation (6).

Table 2 of § 503.43—Risk Specific Concentration For Chromium

Type of Incinerator	Risk specific concentration (micrograms per cubic meter)
Fluidized bed with wet scrubber	0.65
Fluidized bed with wet scrubber and wet electrostatic precipitator	0.23
Other types with wet scrubber	0.064
Other types with wet scrubber and wet electrostatic precipitator	0.016

$$\text{RSC} = 0.0085/r \quad \text{Eq. (6)}$$

Where:

RSC = risk specific concentration for chromium in micrograms per cubic meter used in equation (5).
r = decimal fraction of the hexavalent chromium concentration in the total chromium concentration measured in the exit gas from the sewage sludge incinerator stack in hundredths.

(4) The dispersion factor (DF) in equation (5) shall be determined from an air dispersion model in accordance with § 503.43(e).

(i) When the sewage sludge incinerator stack height is equal to or less than 65 meters, the actual sewage sludge incinerator stack height shall be used in the air dispersion model to determine the dispersion factor (DF) for equation (5).

(ii) When the sewage sludge incinerator stack height is greater than 65 meters, the creditable stack height shall be determined in accordance with 40 CFR 51.100(ii) and the creditable stack height shall be used in the air dispersion model to determine the dispersion factor (DF) for equation (5).

(5) The control efficiency (CE) for equation (5) shall be determined from a performance test of the sewage sludge incinerator in accordance with § 503.43(e).

(e) Air dispersion modeling and performance testing.

(1) The air dispersion model used to determine the dispersion factor in § 503.43 (c)(2) and (d)(4) shall be appropriate for the geographical, physical, and population characteristics at the sewage sludge incinerator site. The performance test used to determine the control efficiencies in § 503.43 (c)(3) and (d)(5) shall be appropriate for the type of sewage sludge incinerator.

(2) For air dispersion modeling initiated after September 3, 1999, the modeling results shall be submitted to the permitting authority 30 days after completion of the modeling. In addition to the modeling results, the submission shall include a description of the air dispersion model and the values used for the model parameters.

**SECTION E. Source Group Restrictions.**

(3) The following procedures, at a minimum, shall apply in conducting performance tests to determine the control efficiencies in § 503.43(c)(3) and (d)(5) after September 3, 1999:

(i) The performance test shall be conducted under representative sewage sludge incinerator conditions at the highest expected sewage sludge feed rate within the design capacity of the sewage sludge incinerator.

(ii) The permitting authority shall be notified at least 30 days prior to any performance test so the permitting authority may have the opportunity to observe the test. The notice shall include a test protocol with incinerator operating conditions and a list of test methods to be used.

(iii) Each performance test shall consist of three separate runs using the applicable test method. The control efficiency for a pollutant shall be the arithmetic mean of the control efficiencies for the pollutant from the three runs.

(4) The pollutant limits in § 503.43 (c) and (d) of this section shall be submitted to the permitting authority no later than 30 days after completion of the air dispersion modeling and performance test.

(5) Significant changes in geographic or physical characteristics at the incinerator site or in incinerator operating conditions require new air dispersion modeling or performance testing to determine a new dispersion factor or a new control efficiency that will be used to calculate revised pollutant limits.

[58 FR 9387, Feb. 19, 1993, as amended at 64 FR 42572, Aug. 4, 1999]

002 [40 CFR Part 503 Standards for the Use or Disposal of Sewage Sludge §40 CFR 503.44]

Subpart E - Incineration

Operational standard—total hydrocarbons.

(a) The total hydrocarbons concentration in the exit gas from a sewage sludge incinerator shall be corrected for zero percent moisture by multiplying the measured total hydrocarbons concentration by the correction factor calculated using equation (7).

$$\text{Correction factor (percent moisture)} = 1/(1-X) \quad \text{Eq. (7)}$$

Where:

X = decimal fraction of the percent moisture in the sewage sludge incinerator exit gas in hundredths.

(b) The total hydrocarbons concentration in the exit gas from a sewage sludge incinerator shall be corrected to seven percent oxygen by multiplying the measured total hydrocarbons concentration by the correction factor calculated using equation (8).

$$\text{Correction factor (oxygen)} = 14 / (21 - Y) \quad \text{Eq. (8)}$$

Where:

Y = Percent oxygen concentration in the sewage sludge incinerator stack exit gas (dry volume/dry volume).

(c) The monthly average concentration for total hydrocarbons in the exit gas from a sewage sludge incinerator stack, corrected for zero percent moisture using the correction factor from equation (7) and to seven percent oxygen using the correction factor from equation (8), shall not exceed 100 parts per million on a volumetric basis when measured using the instrument required by § 503.45(a).

[Source: 58 FR 9387, Feb. 19, 1993]

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.152]

Subpart O - Standards of Performance for Sewage Treatment Plants

Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator of any sewage sludge incinerator subject to the provisions of this subpart shall discharge or cause the discharge

**SECTION E. Source Group Restrictions.**

into the atmosphere of:

- (1) Particulate matter at a rate in excess of 0.65 g/kg dry sludge input (1.30 lb/ton dry sludge input).
- (2) Any gases which exhibit 20 percent opacity or greater.

[39 FR 9319, Mar. 8, 1974, as amended at 40 FR 46259, Oct. 6, 1975]

004 [40 CFR Part 61 NESHAPs §40 CFR 61.32]

**Subpart C--National Emission Standard for Beryllium
Emission standard.**

(a) Emissions to the atmosphere from stationary sources subject to the provisions of this subpart shall not exceed 10 grams (0.022 lb) of beryllium over a 24-hour period, except as provided in paragraph (b) of this section.

(b) Rather than meet the requirement of paragraph (a) of this section, an owner or operator may request approval from the Administrator to meet an ambient concentration limit on beryllium in the vicinity of the stationary source of 0.01 µg/m³ (4.37×10^{-6} gr/ft³), averaged over a 30-day period.

(1) Approval of such requests may be granted by the Administrator provided that:

(i) At least 3 years of data is available which in the judgment of the Administrator demonstrates that the future ambient concentrations of beryllium in the vicinity of the stationary source will not exceed 0.01 µg/m³ (4.37×10^{-6} gr/ft³), averaged over a 30-day period. Such 3-year period shall be the 3 years ending 30 days before the effective date of this standard.

(ii) The owner or operator requests such approval in writing within 30 days after the effective date of this standard.

(iii) The owner or operator submits a report to the Administrator within 45 days after the effective date of this standard which report includes the following information:

(a) Description of sampling method including the method and frequency of calibration.

(b) Method of sample analysis.

(c) Averaging technique for determining 30-day average concentrations.

(d) Number, identity, and location (address, coordinates, or distance and heading from plant) of sampling sites.

(e) Ground elevations and height above ground of sampling inlets.

(f) Plant and sampling area plots showing emission points and sampling sites. Topographic features significantly affecting dispersion including plant building heights and locations shall be included.

(g) Information necessary for estimating dispersion including stack height, inside diameter, exit gas temperature, exit velocity or flow rate, and beryllium concentration.

(h) A description of data and procedures (methods or models) used to design the air sampling network (i.e., number and location of sampling sites).

(i) Air sampling data indicating beryllium concentrations in the vicinity of the stationary source for the 3-year period specified in paragraph (b)(1) of this section. This data shall be presented chronologically and include the beryllium concentration and location of each individual sample taken by the network and the corresponding 30-day average beryllium concentrations.

(2) Within 60 days after receiving such report, the Administrator will notify the owner or operator in writing whether approval is granted or denied. Prior to denying approval to comply with the provisions of paragraph (b) of this section, the Administrator will consult with representatives of the statutory source for which the demonstration report was submitted.

**SECTION E. Source Group Restrictions.**

(c) The burning of beryllium and/or beryllium-containing waste, except propellants, is prohibited except in incinerators, emissions from which must comply with the standard.

[38 FR 8826, Apr. 6, 1973, as amended at 65 FR 62151, Oct. 17, 2000]

005 [40 CFR Part 61 NESHAPs §40 CFR 61.52]**Subpart E--National Emission Standard for Mercury
Emission standard.**

(a) [Paragraph (a) of the regulation is not applicable to this facility.]

(b) Emissions to the atmosphere from sludge incineration plants, sludge drying plants, or a combination of these that process wastewater treatment plant sludges shall not exceed 3.2 kg (7.1 lb) of mercury per 24-hour period.

[40 FR 48302, Oct. 14, 1975, as amended at 65 FR 62151, Oct. 17, 2000]

II. TESTING REQUIREMENTS.**# 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.154]****Subpart O - Standards of Performance for Sewage Treatment Plants
Test methods and procedures.**

(a) In conducting the performance tests required in 40 CFR §60.8, the owner or operator shall use as reference methods and procedures the test methods in Appendix A of this part or other methods and procedures as specified in this section, except as provided for in 40 CFR §60.8(b).

(b) The owner or operator shall determine compliance with the particulate matter emission standards in 40 CFR §60.152 as follows:

(1) The emission rate (E) of particulate matter for each run shall be computed using the following equation:

$$E = K(cs \text{ } Qsd)/S$$

where:

E=emission rate of particulate matter, g/kg (lb/ton) of dry sludge input.

cs=concentration of particulate matter, g/dscm (gr/dscf).

Qsd=volumetric flow rate of effluent gas, dscm/hr (dscf/hr).

S=charging rate of dry sludge during the run, kg/hr (ton/hr).

K=conversion factor, 1.0 g/g (7,000 gr/lb).

(2) Method 5 shall be used to determine the particulate matter concentration (cs) and the volumetric flow rate (Qsd) of the effluent gas. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).

(3) The dry sludge charging rate (S) for each run shall be computed using either of the equations in 40 CFR §60.154(b)(3).

(4) the flow measuring device of 40 CFR §60.153(a)(1) shall be used to determine the total mass (Sm) or volume (Sv) of sludge charged to the incinerator during each run. If the flow measuring device is on a time rate basis, readings shall be taken and recorded at 5-minute intervals during the run and the total charge of sludge shall be computed using the equations in 40 CFR §60.154(b)(4), as applicable.

(5) Samples of the sludge charged to the incinerator shall be collected in nonporous jars at the beginning of each run and at approximately 1-hour intervals thereafter until the test ends; and "2540 G. Total, Fixed, and Volatile Solids in Solid and Semisolid Samples, in Standard Methods for the Examination of Water and Wastewater, 20th Edition, 1998" (incorporated by reference—see §60.17) shall be used to determine dry sludge content of each sample (total solids residue), except that:

**SECTION E. Source Group Restrictions.**

(i) Evaporating dishes shall be ignited to at least 103 °C rather than the 550 °C specified in step 3(a)(1).

(ii) Determination of volatile residue, step 3(b) may be deleted.

(iii) The quantity of dry sludge per unit sludge charged shall be determined in terms of kg/m³ (lb/gal) or kg/kg (ton/ton).

(iv) The average dry sludge content shall be the arithmetic average of all the samples taken during the run.

(6) Method 9 and the procedures in 40 CFR §60.11 shall be used to determine opacity.

(c) [Reserved]

(d) The owner or operator of any sludge incinerator subject to the provisions of this subpart shall conduct a performance test during which the monitoring and recording devices required under 40 CFR §60.153(a)(1), (b)(1), (b)(2), (b)(3), and (b)(4) are installed and operating and for which the sampling and analysis procedures required under 40 CFR §60.153(b)(5) are performed. The owner or operator shall provide the Administrator at least 30 days prior notice of the performance test to afford the Administrator the opportunity to have an observer present.

(1) For incinerators that commenced construction or modification on or before April 18, 1986, the performance test shall be conducted within 360 days of the effective date of these regulations unless the monitoring and recording devices required under 40 CFR §60.153(a)(1), (b)(1), (b)(2), (b)(3), and (b)(4) were installed and operating and the sampling and analysis procedures required under 40 CFR §60.153(b)(5) were performed during the most recent performance test and a record of the measurements taken during the performance test is available.

(2) For incinerators that commence construction or modification after April 18, 1986, the date of the performance test shall be determined by the requirements in 40 CFR §60.8.

[54 FR 6668, Feb. 14, 1989, as amended at 54 FR 27015, June 27, 1989; 59 FR 5108, Feb. 3, 1994; 65 FR 61756, Oct. 17, 2000; 79 FR 11250, Feb. 27, 2014]

007 [40 CFR Part 61 NESHAPs §40 CFR 61.33]
Subpart C--National Emission Standard for Beryllium
Stack sampling.

(a) Unless a waiver of emission testing is obtained under §61.13, each owner or operator required to comply with §61.32(a) shall test emissions from the source according to Method 104 of appendix B to this part or according to Method 29 of appendix A to part 60. Method 103 of appendix B to this part is approved by the Administrator as an alternative method for sources subject to §61.32(a). The emission test shall be performed:

(1) By May 28, 2014 in the case of an existing source or a new source which has an initial startup date preceding February 27, 2014; or

(2) Within 90 days of startup in the case of a new source which did not have an initial startup date preceding February 27, 2014.

(b) The Administrator shall be notified at least 30 days prior to an emission test so that he may at his option observe the test.

(c) Samples shall be taken over such a period or periods as are necessary to accurately determine the maximum emissions which will occur in any 24-hour period. Where emissions depend upon the relative frequency of operation of different types of processes, operating hours, operating capacities, or other factors, the calculation of maximum 24-hour-period emissions will be based on that combination of factors which is likely to occur during the subject period and which result in the maximum emissions. No changes in the operation shall be made, which would potentially increase emissions above that determined by the most recent source test, until a new emission level has been estimated by calculation and the results reported to the Administrator.

(d) All samples shall be analyzed and beryllium emissions shall be determined within 30 days after the source test. All

**SECTION E. Source Group Restrictions.**

determinations shall be reported to the Administrator by a registered letter dispatched before the close of the next business day following such determination.

(e) Records of emission test results and other data needed to determine total emissions shall be retained at the source and made available, for inspection by the Administrator, for a minimum of 2 years.

[38 FR 8826, Apr. 6, 1973, as amended at 50 FR 46294, Nov. 7, 1985; 79 FR 11275, Feb. 27, 2014]

008 [40 CFR Part 61 NESHAPs §40 CFR 61.34]

Subpart C--National Emission Standard for Beryllium

Air sampling.

(a) Stationary sources subject to §61.32(b) shall locate air sampling sites in accordance with a plan approved by the Administrator. Such sites shall be located in such a manner as is calculated to detect maximum concentrations of beryllium in the ambient air.

(b) All monitoring sites shall be operated continuously except for a reasonable time allowance for instrument maintenance and calibration, for changing filters, or for replacement of equipment needing major repair.

(c) Filters shall be analyzed and concentrations calculated within 30 days after filters are collected. Records of concentrations at all sampling sites and other data needed to determine such concentrations shall be retained at the source and made available, for inspection by the Administrator, for a minimum of 2 years.

(d) Concentrations measured at all sampling sites shall be reported to the Administrator every 30 days by a registered letter.

(e) The Administrator may at any time require changes in, or expansion of, the sampling network.

[Source: 38 FR 8826, Apr. 6, 1973]

009 [40 CFR Part 61 NESHAPs §40 CFR 61.53]

Subpart E--National Emission Standard for Mercury

Stack sampling.

(a) [Not applicable]

(b) [Not applicable]

(c) [Not applicable]

(d) Sludge incineration and drying plants.

(1) Unless a waiver of emission testing is obtained under §61.13, each owner or operator of a source subject to the standard in §61.52(b) shall test emissions from that source. Such tests shall be conducted in accordance with the procedures set forth either in paragraph (d) of this section or in §61.54.

(2) Method 101A in appendix B or Method 29 in appendix A to part 60 shall be used to test emissions as follows:

(i) The test shall be performed by May 28, 2014 in the case of an existing source or a new source which has an initial startup date preceding February 27, 2014.

(ii) The test shall be performed within 90 days of startup in the case of a new source which did not have an initial startup date preceding February 27, 2014.

(3) The Administrator shall be notified at least 30 days prior to an emission test, so that he may at his option observe the test.

(4) Samples shall be taken over such a period or periods as are necessary to determine accurately the maximum emissions which will occur in a 24-hour period. No changes shall be made in the operation which would potentially increase emissions above the level determined by the most recent stack test, until the new emission level has been

**SECTION E. Source Group Restrictions.**

estimated by calculation and the results reported to the Administrator.

(5) All samples shall be analyzed and mercury emissions shall be determined within 30 days after the stack test. Each determination shall be reported to the Administrator by a registered letter dispatched within 15 calendar days following the date such determination is completed.

(6) Records of emission test results and other data needed to determine total emissions shall be retained at the source and shall be made available, for inspection by the Administrator, for a minimum of 2 years.

[38 FR 8826, Apr. 6, 1973, as amended at 40 FR 48302, Oct. 14, 1975; 47 FR 24704, June 8, 1982; 50 FR 46294, Nov. 7, 1985; 52 FR 8726, Mar. 19, 1987; 65 FR 62151, Oct. 17, 2000; 79 FR 11275, Feb. 27, 2014]

010 [40 CFR Part 61 NESHAPs §40 CFR 61.54]

Subpart E--National Emission Standard for Mercury

Sludge sampling.

(a) As an alternative means for demonstrating compliance with §61.52(b), an owner or operator may use Method 105 of appendix B and the procedures specified in this section.

(1) A sludge test shall be conducted within 90 days of the effective date of these regulations in the case of an existing source or a new source which has an initial startup date preceding the effective date; or

(2) A sludge test shall be conducted within 90 days of startup in the case of a new source which did not have an initial startup date preceding the effective date.

(b) The Administrator shall be notified at least 30 days prior to a sludge sampling test, so that he may at his option observe the test.

(c) Sludge shall be sampled according to paragraph (c)(1) of this section, sludge charging rate for the plant shall be determined according to paragraph (c)(2) of this section, and the sludge analysis shall be performed according to paragraph (c)(3) of this section.

(1) The sludge shall be sampled according to Method 105—Determination of Mercury in Wastewater Treatment Plant Sewage Sludges. A total of three composite samples shall be obtained within an operating period of 24 hours. When the 24-hour operating period is not continuous, the total sampling period shall not exceed 72 hours after the first grab sample is obtained. Samples shall not be exposed to any condition that may result in mercury contamination or loss.

(2) The maximum 24-hour period sludge incineration or drying rate shall be determined by use of a flow rate measurement device that can measure the mass rate of sludge charged to the incinerator or dryer with an accuracy of ± 5 percent over its operating range. Other methods of measuring sludge mass charging rates may be used if they have received prior approval by the Administrator.

(3) The sampling, handling, preparation, and analysis of sludge samples shall be accomplished according to Method 105 in appendix B of this part.

(d) The mercury emissions shall be determined by use of the following equation.

$$E(\text{Hg}) = \text{MQFsm}(\text{avg}) / 1000$$

[Refer to regulation for properly formatted formula.]

Where:

$E(\text{Hg})$ = Mercury emissions, g/day.

M = Mercury concentration of sludge on a dry solids basis, $\mu\text{g/g}$.

Q = Sludge changing rate, kg/day.

F_{sm} = Weight fraction of solids in the collected sludge after mixing.

1000 = Conversion factor, $\text{kg } \mu\text{g/g}^2$

**SECTION E. Source Group Restrictions.**

- (e) No changes in the operation of a plant shall be made after a sludge test has been conducted which would potentially increase emissions above the level determined by the most recent sludge test, until the new emission level has been estimated by calculation and the results reported to the Administrator.
- (f) All sludge samples shall be analyzed for mercury content within 30 days after the sludge sample is collected. Each determination shall be reported to the Administrator by a registered letter dispatched within 15 calendar days following the date such determination is completed.
- (g) Records of sludge sampling, charging rate determination and other data needed to determine mercury content of wastewater treatment plant sludges shall be retained at the source and made available, for inspection by the Administrator, for a minimum of 2 years.

[40 FR 48303, Oct. 14, 1975, as amended at 49 FR 35770, Sept. 12, 1984; 52 FR 8727, Mar. 19, 1987; 53 FR 36972, Sept. 23, 1988]

III. MONITORING REQUIREMENTS.**# 011 [40 CFR Part 503 Standards for the Use or Disposal of Sewage Sludge §40 CFR 503.40]****Subpart E - Incineration****Applicability.**

- (a) This subpart applies to a person who fires sewage sludge in a sewage sludge incinerator, to a sewage sludge incinerator, and to sewage sludge fired in a sewage sludge incinerator.
- (b) This subpart applies to the exit gas from a sewage sludge incinerator stack.
- (c) The management practice in §503.45(a), the frequency of monitoring requirement for total hydrocarbon concentration in §503.46(b) and the recordkeeping requirements for total hydrocarbon concentration in §503.47(c) and (n) do not apply if the following conditions are met:
- (1) The exit gas from a sewage sludge incinerator stack is monitored continuously for carbon monoxide.
 - (2) The monthly average concentration of carbon monoxide in the exit gas from a sewage sludge incinerator stack, corrected for zero percent moisture and to seven percent oxygen, does not exceed 100 parts per million on a volumetric basis.
 - (3) The person who fires sewage sludge in a sewage sludge incinerator retains the following information for five years:
 - (i) The carbon monoxide concentrations in the exit gas; and
 - (ii) A calibration and maintenance log for the instrument used to measure the carbon monoxide concentration.
 - (4) Class I sludge management facilities, POTWs (as defined in 40 CFR 501.2) with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve a population of 10,000 people or greater submit the monthly average carbon monoxide concentrations in the exit gas to the permitting authority on February 19 of each year.

[58 FR 9387, Feb. 19, 1993, as amended at 59 FR 9099, Feb. 25, 1994]

012 [40 CFR Part 503 Standards for the Use or Disposal of Sewage Sludge §40 CFR 503.45]**Subpart E - Incineration****Management practices.**

- (a)(1) An instrument that continuously measures and records the total hydrocarbons concentration in the sewage sludge incinerator stack exit gas shall be installed, calibrated, operated, and maintained for a sewage sludge incinerator.
- (2) The total hydrocarbons instrument shall employ a flame ionization detector; shall have a heated sampling line maintained at a temperature of 150 degrees Celsius or higher at all times; and shall be calibrated at least once every 24-hour operating period using propane.
- (b) An instrument that continuously measures and records the oxygen concentration in the sewage sludge incinerator stack

**SECTION E. Source Group Restrictions.**

exit gas shall be installed, calibrated, operated, and maintained for a sewage sludge incinerator.

(c) An instrument that continuously measures and records information used to determine the moisture content in the sewage sludge incinerator stack exit gas shall be installed, calibrated, operated, and maintained for a sewage sludge incinerator.

(d) An instrument that continuously measures and records combustion temperatures shall be installed, calibrated, operated, and maintained for a sewage sludge incinerator.

(e) Operation of a sewage sludge incinerator shall not cause the operating combustion temperature for the sewage sludge incinerator to exceed the performance test combustion temperature by more than 20 percent.

(f) An air pollution control device shall be appropriate for the type of sewage sludge incinerator and the operating parameters for the air pollution control device shall be adequate to indicate proper performance of the air pollution control device. For sewage sludge incinerators subject to the requirements in subpart O of 40 CFR part 60, operation of the air pollution control device shall not violate the requirements for the air pollution control device in subpart O of 40 CFR part 60. For all other sewage sludge incinerators, operation of the air pollution control device shall not cause a significant exceedance of the average value for the air pollution control device operating parameters from the performance test required by § 503.43 (c)(3) and (d)(5).

(g) Sewage sludge shall not be fired in a sewage sludge incinerator if it is likely to adversely affect a threatened or endangered species listed under section 4 of the Endangered Species Act or its designated critical habitat.

(h) The instruments required in § 503.45(a)-(d) shall be appropriate for the type of sewage sludge incinerator.

[58 FR 9387, Feb. 19, 1993, as amended at 64 FR 42573, Aug. 4, 1999]

013 [40 CFR Part 503 Standards for the Use or Disposal of Sewage Sludge §40 CFR 503.46]**Subpart E - Incineration****Frequency of monitoring.**

(a) Sewage sludge.

(1) The frequency of monitoring for beryllium shall be as required in subpart C of 40 CFR part 61, and for mercury as required in subpart E of 40 CFR part 61.

(2) The frequency of monitoring for arsenic, cadmium, chromium, lead, and nickel in sewage sludge fed to a sewage sludge incinerator shall be the frequency in Table 1 of § 503.46.

Table 1 of § 503.46 -- Frequency of Monitoring -- Incineration

Amount of sewage sludge (see note 1) (metric tons per 365 day period)	Frequency
Greater than zero but less than 290	Once per year.
Equal to or greater than 290 but less than 1,500	Once per quarter (four times per year).
Equal to or greater than 1,500 but less than 15,000	Once per 60 days (six times per year).
Equal to or greater than 15,000	Once per month (12 times per year).

Note 1: Amount of sewage sludge fired in a sewage sludge incinerator (dry weight basis).

(3) After the sewage sludge has been monitored for two years at the frequency in Table 1 of § 503.46, the permitting authority may reduce the frequency of monitoring for arsenic, cadmium, chromium, lead, and nickel.

(b) Total hydrocarbons, oxygen concentration, information to determine moisture content, and combustion temperatures. The total hydrocarbons concentration and oxygen concentration in the exit gas from a sewage sludge incinerator stack, the information used to measure moisture content in the exit gas, and the combustion temperatures for the sewage sludge incinerator shall be monitored continuously.

(c) Air pollution control device operating parameters. For sewage sludge incinerators subject to the requirements in

**SECTION E. Source Group Restrictions.**

subpart O of 40 CFR part 60, the frequency of monitoring for the appropriate air pollution control device operating parameters shall be the frequency of monitoring in subpart O of 40 CFR part 60. For all other sewage sludge incinerators, the appropriate air pollution control device operating parameters shall be at least daily.

(Approved by the Office of Management and Budget under control number 2040-0157)

[58 FR 9387, Feb. 19, 1993, as amended at 64 FR 42573, Aug. 4, 1999]

014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.153]

Subpart O - Standards of Performance for Sewage Treatment Plants

Monitoring of operations.

(a) The owner or operator of any sludge incinerator subject to the provisions of this subpart shall:

(1) Install, calibrate, maintain, and operate a flow measuring device which can be used to determine either the mass or volume of sludge charged to the incinerator. The flow measuring device shall be certified by the manufacturer to have an accuracy of ± 5 percent over its operating range. Except as provided in paragraph (d) of this section, the flow measuring device shall be operated continuously and data recorded during all periods of operation of the incinerator.

(2) Provide access to the sludge charged so that a well-mixed representative grab sample of the sludge can be obtained.

(3) Install, calibrate, maintain, and operate a weighing device for determining the mass of any municipal solid waste charged to the incinerator when sewage sludge and municipal solid waste are incinerated together. The weighing device shall have an accuracy of ± 5 percent over its operating range.

(b) The owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator subject to the provisions of this subpart shall comply with the requirements of paragraph (a) of this section and:

(1) For incinerators equipped with a wet scrubbing device, install, calibrate, maintain and operate a monitoring device that continuously measures and records the pressure drop of the gas flow through the wet scrubbing device. Where a combination of wet scrubbers is used in series, the pressure drop of the gas flow through the combined system shall be continuously monitored. The device used to monitor scrubber pressure drop shall be certified by the manufacturer to be accurate within ± 250 pascals (± 1 inch water gauge) and shall be calibrated on an annual basis in accordance with the manufacturer's instructions.

(2) Install, calibrate, maintain and operate a monitoring device that continuously measures and records the oxygen content of the incinerator exhaust gas. The oxygen monitor shall be located upstream of any rabble shaft cooling air inlet into the incinerator exhaust gas stream, fan, ambient air recirculation damper, or any other source of dilution air. The oxygen monitoring device shall be certified by the manufacturer to have a relative accuracy of ± 5 percent over its operating range and shall be calibrated according to method(s) prescribed by the manufacturer at least once each 24-hour operating period.

(3) Install, calibrate, maintain and operate temperature measuring devices at every hearth in multiple hearth furnaces; in the bed and outlet of fluidized bed incinerators; and in the drying, combustion, and cooling zones of electric incinerators. For multiple hearth furnaces, a minimum of one temperature measuring device shall be installed in each hearth in the cooling and drying zones, and a minimum of two temperature measuring devices shall be installed in each hearth in the combustion zone. For electric incinerators, a minimum of one temperature measuring device shall be installed in the drying zone and one in the cooling zone, and a minimum of two temperature measuring devices shall be installed in the combustion zone. Each temperature measuring device shall be certified by the manufacturer to have an accuracy of ± 5 percent over its operating range. Except as provided in paragraph (d) of this section, the temperature monitoring devices shall be operated continuously and data recorded during all periods of operation of the incinerator.

(4) Install, calibrate, maintain and operate a device for measuring the fuel flow to the incinerator. The flow measuring device shall be certified by the manufacturer to have an accuracy of ± 5 percent over its operating range. Except as provided in paragraph (d) of the section, the fuel flow measuring device shall be operated continuously and data recorded during all periods of operation of the incinerator.

**SECTION E. Source Group Restrictions.**

(5) Except as provided in paragraph (d) of this section, collect and analyze a grab sample of the sludge fed to the incinerator once per day. The dry sludge content and the volatile solids content of the sample shall be determined in accordance with the method specified under §60.154(b)(5), except that the determination of volatile solids, step (3)(b) of the method, may not be deleted.

(c) The owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator subject to the provisions of this subpart shall retain the following information and make it available for inspection by the Administrator for a minimum of 2 years:

(1) For incinerators equipped with a wet scrubbing device, a record of the measured pressure drop of the gas flow through the wet scrubbing device, as required by paragraph (b)(1) of this section.

(2) A record of the measured oxygen content of the incinerator exhaust gas, as required by paragraph (b)(2) of this section.

(3) A record of the rate of sludge charged to the incinerator, the measured temperatures of the incinerator, the fuel flow to the incinerator, and the total solids and volatile solids content of the sludge charged to the incinerator, as required by paragraphs (a)(1), (b)(3), (b)(4), and (b)(5) of this section.

(d) The owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator subject to the provisions of this subpart from which the particulate matter emission rate measured during the performance test required under §60.154(d) is less than or equal to 0.38 g/kg of dry sludge input (0.75 lb/ton) shall be required to comply with the requirements in paragraphs (a), (b), and (c) of this section during all periods of this incinerator following the performance test except that:

(1) Continuous operation of the monitoring devices and data recorders in paragraphs (a)(1), (b)(3), and (b)(4) of this section shall not be required.

(2) Daily sampling and analysis of sludge feed in paragraph (b)(5) of this section shall not be required.

(3) Recordkeeping specified in paragraph (c)(3) of this section shall not be required.

(e) [Not applicable]

[36 FR 24877, Dec. 23, 1971, as amended at 53 FR 39416, Oct. 6, 1988; 65 FR 61756, Oct. 17, 2000]

015 [40 CFR Part 61 NESHAPs §40 CFR 61.55]**Subpart E--National Emission Standard for Mercury****Monitoring of emissions and operations.**

(a) Wastewater treatment plant sludge incineration and drying plants. All the sources for which mercury emissions exceed 1.6 kg (3.5 lb) per 24-hour period, demonstrated either by stack sampling according to §61.53 or sludge sampling according to §61.54, shall monitor mercury emissions at intervals of at least once per year by use of Method 105 of appendix B or the procedures specified in §61.53 (d) (2) and (4). The results of monitoring shall be reported and retained according to §61.53(d) (5) and (6) or §61.54 (f) and (g).

(b) - (d) [Paragraphs (b) through (d) of the regulation are not applicable.]

[52 FR 8727, Mar. 19, 1987, as amended at 65 FR 62151, Oct. 17, 2000]

IV. RECORDKEEPING REQUIREMENTS.**# 016 [40 CFR Part 503 Standards for the Use or Disposal of Sewage Sludge §40 CFR 503.47]****Subpart E - Incineration****Recordkeeping.**

(a) The person who fires sewage sludge in a sewage sludge incinerator shall develop the information in § 503.47(b) through § 503.47(n) and shall retain that information for five years.

(b) The concentration of lead, arsenic, cadmium, chromium, and nickel in the sewage sludge fed to the sewage sludge incinerator.

**SECTION E. Source Group Restrictions.**

- (c) The total hydrocarbons concentrations in the exit gas from the sewage sludge incinerator stack.
- (d) Information that indicates the requirements in the National Emission Standard for beryllium in subpart C of 40 CFR part 61 are met.
- (e) Information that indicates the requirements in the National Emission Standard for mercury in subpart E of 40 CFR part 61 are met.
- (f) The operating combustion temperatures for the sewage sludge incinerator.
- (g) Values for the air pollution control device operating parameters.
- (h) The oxygen concentration and information used to measure moisture content in the exit gas from the sewage sludge incinerator stack.
- (i) The sewage sludge feed rate.
- (j) The stack height for the sewage sludge incinerator.
- (k) The dispersion factor for the site where the sewage sludge incinerator is located.
- (l) The control efficiency for lead, arsenic, cadmium, chromium, and nickel for each sewage sludge incinerator.
- (m) The risk specific concentration for chromium calculated using equation (6), if applicable.
- (n) A calibration and maintenance log for the instruments used to measure the total hydrocarbons concentration and oxygen concentration in the exit gas from the sewage sludge incinerator stack, the information needed to determine moisture content in the exit gas, and the combustion temperatures.

(Approved by the Office of Management and Budget under control number 2040-0157)

[58 FR 9387, Feb. 19, 1993, as amended at 64 FR 42573, Aug. 4, 1999]

V. REPORTING REQUIREMENTS.**# 017 [40 CFR Part 503 Standards for the Use or Disposal of Sewage Sludge §40 CFR 503.48]****Subpart E - Incineration Reporting.**

Class I sludge management facilities, POTWs (as defined in § 501.2 of this chapter) with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve a population of 10,000 people or greater shall submit a report on February 19 of each year. As of December 21, 2016, all reports submitted in compliance with this section must be submitted electronically by the operator to EPA when the Regional Administrator is the Director in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to 40 CFR part 3), 40 CFR 122.22, and 40 CFR part 127. Otherwise, as of December 21, 2025, or an EPA-approved alternative date (see 40 CFR 127.24(e) or (f)), all reports submitted in compliance with this section must be submitted electronically in compliance with this section and 40 CFR part 3 (including, in all cases, subpart D to part 3), 40 CFR 122.22, and 40 CFR part 127. 40 CFR part 127 is not intended to undo existing requirements for electronic reporting. Prior to the compliance deadlines for electronic reporting (see Table 1 in 40 CFR 127.16), the Director may also require operators to electronically submit annual reports under this section if required to do so by state law.

[80 FR 64158, Oct. 22, 2015; 85 FR 69205, Nov. 2, 2020]

018 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.155]**Subpart O - Standards of Performance for Sewage Treatment Plants Reporting.**

- (a) The owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator subject to the provisions of this subpart shall submit to the Administrator semi-annually a report in writing which contains the following:

**SECTION E. Source Group Restrictions.**

(1) A record of average scrubber pressure drop measurements for each period of 15 minutes duration or more during which the pressure drop of the scrubber was less than, by a percentage specified below, the average scrubber pressure drop measured during the most recent performance test. The percent reduction in scrubber pressure drop for which a report is required shall be determined as follows:

(i) For incinerators that achieved an average particulate matter emission rate of 0.38 kg/Mg (0.75 lb/ton) dry sludge input or less during the most recent performance test, a scrubber pressure drop reduction of more than 30 percent from the average scrubber pressure drop recorded during the most recent performance test shall be reported.

(ii) For incinerators that achieved an average particulate matter emission rate of greater than 0.38 kg/Mg (0.75 lb/ton) dry sludge input during the most recent performance test, a percent reduction in pressure drop greater than that calculated according to the following equation shall be reported:

$$P = -111E + 72.15$$

where

P = Percent reduction in pressure drop, and

E = Average particulate matter emissions (kg/megagram)

(2) A record of average oxygen content in the incinerator exhaust gas for each period of 1-hour duration or more that the oxygen content of the incinerator exhaust gas exceeds the average oxygen content measured during the most recent performance test by more than 3 percent.

(b) The owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator from which the average particulate matter emission rate measured during the performance test required under 40 CFR §60.154(d) exceeds 0.38 g/kg of dry sludge input (0.75 lb/ton of dry sludge input) shall include in the report for each calendar day that a decrease in scrubber pressure drop or increase in oxygen content of exhaust gas is reported a record of the following:

(1) Scrubber pressure drop averaged over each 1-hour incinerator operating period.

(2) Oxygen content in the incinerator exhaust averaged over each 1-hour incinerator operating period.

(3) Temperatures of every hearth in multiple hearth incinerators; of the bed and outlet of fluidized bed incinerators; and of the drying, combustion, and cooling zones of electric incinerators averaged over each 1-hour incinerator operating period.

(4) Rate of sludge charged to the incinerator averaged over each 1-hour incinerator operating period.

(5) Incinerator fuel use averaged over each 8-hour incinerator operating period.

(6) Moisture and volatile solids content of the daily grab sample of sludge charged to the incinerator.

(c) [Not applicable]

[53 FR 39417, Oct. 6, 1988]

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements).

VII. ADDITIONAL REQUIREMENTS.

019 [40 CFR Part 503 Standards for the Use or Disposal of Sewage Sludge §40 CFR 503.41]

Subpart E - Incineration

Special definitions.

(a) Air pollution control device is one or more processes used to treat the exit gas from a sewage sludge incinerator stack.

**SECTION E. Source Group Restrictions.**

- (b) Auxiliary fuel is fuel used to augment the fuel value of sewage sludge. This includes, but is not limited to, natural gas, fuel oil, coal, gas generated during anaerobic digestion of sewage sludge, and municipal solid waste (not to exceed 30 percent of the dry weight of sewage sludge and auxiliary fuel together). Hazardous wastes are not auxiliary fuel.
- (c) Average daily concentration is the arithmetic mean of the concentration of a pollutant in milligrams per kilogram of sewage sludge (dry weight basis) in the samples collected and analyzed in a month.
- (d) Control efficiency is the mass of a pollutant in the sewage sludge fed to an incinerator minus the mass of that pollutant in the exit gas from the incinerator stack divided by the mass of the pollutant in the sewage sludge fed to the incinerator.
- (e) Dispersion factor is the ratio of the increase in the ground level ambient air concentration for a pollutant at or beyond the property line of the site where the sewage sludge incinerator is located to the mass emission rate for the pollutant from the incinerator stack.
- (f) Fluidized bed incinerator is an enclosed device in which organic matter and inorganic matter in sewage sludge are combusted in a bed of particles suspended in the combustion chamber gas.
- (g) Hourly average is the arithmetic mean of all measurements, taken during an hour. At least two measurements must be taken during the hour.
- (h) Incineration is the combustion of organic matter and inorganic matter in sewage sludge by high temperatures in an enclosed device.
- (i) Incinerator operating combustion temperature is the arithmetic mean of the temperature readings in the hottest zone of the furnace recorded in a day (24 hours) when the temperature is averaged and recorded at least hourly during the hours the incinerator operates in a day.
- (j) Monthly average is the arithmetic mean of the hourly averages for the hours a sewage sludge incinerator operates during the month.
- (k) Performance test combustion temperature is the arithmetic mean of the average combustion temperature in the hottest zone of the furnace for each of the runs in a performance test.
- (l) Risk specific concentration is the allowable increase in the average daily ground level ambient air concentration for a pollutant from the incineration of sewage sludge at or beyond the property line of the site where the sewage sludge incinerator is located.
- (m) Sewage sludge feed rate is either the average daily amount of sewage sludge fired in all sewage sludge incinerators within the property line of the site where the sewage sludge incinerators are located for the number of days in a 365 day period that each sewage sludge incinerator operates, or the average daily design capacity for all sewage sludge incinerators within the property line of the site where the sewage sludge incinerators are located.
- (n) Sewage sludge incinerator is an enclosed device in which only sewage sludge and auxiliary fuel are fired.
- (o) Stack height is the difference between the elevation of the top of a sewage sludge incinerator stack and the elevation of the ground at the base of the stack when the difference is equal to or less than 65 meters. When the difference is greater than 65 meters, stack height is the creditable stack height determined in accordance with 40 CFR 51.100 (ii).
- (p) Total hydrocarbons means the organic compounds in the exit gas from a sewage sludge incinerator stack measured using a flame ionization detection instrument referenced to propane.
- (q) Wet electrostatic precipitator is an air pollution control device that uses both electrical forces and water to remove pollutants in the exit gas from a sewage sludge incinerator stack.
- (r) Wet scrubber is an air pollution control device that uses water to remove pollutants in the exit gas from a sewage sludge incinerator stack.

**SECTION E. Source Group Restrictions.**

[58 FR 9387, Feb. 19, 1993, as amended at 64 FR 42571, Aug. 4, 1999]

020 [40 CFR Part 503 Standards for the Use or Disposal of Sewage Sludge §40 CFR 503.42]**Subpart E - Incineration****General requirements.**

No person shall fire sewage sludge in a sewage sludge incinerator except in compliance with the requirements in this subpart.

[Source: 58 FR 9387, Feb. 19, 1993]

021 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.11]**Subpart A - General Provisions****Compliance with standards and maintenance requirements.**

(a) Compliance with standards in this part, other than opacity standards, shall be determined in accordance with performance tests established by §60.8, unless otherwise specified in the applicable standard.

(b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in paragraph (e)(5) of this section. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

(c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating 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, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(e) (1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in §60.8 unless one of the following conditions apply. If no performance test under §60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under §60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in §60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under §60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of this part, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity

**SECTION E. Source Group Restrictions.**

standard in this part applies shall conduct opacity observations in accordance with paragraph (b) of this section, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under §60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.

(3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in §60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.

(4) An owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by §60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and §60.8 performance test results.

(5) An owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under §60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under §60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under §60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under §60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under §60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in §60.13(c) of this part, that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine compliance with the opacity standard.

(6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by §60.8, the opacity observation results and observer certification required by §60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by §60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with §60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, he shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.

(7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

(8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the FEDERAL REGISTER.

(f) Special provisions set forth under an applicable subpart shall supersede any conflicting provisions in paragraphs (a) through (e) of this section.

**SECTION E. Source Group Restrictions.**

(g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[38 FR 28565, Oct. 15, 1973, as amended at 39 FR 39873, Nov. 12, 1974; 43 FR 8800, Mar. 3, 1978; 45 FR 23379, Apr. 4, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 51 FR 1790, Jan. 15, 1986; 52 FR 9781, Mar. 26, 1987; 62 FR 8328, Feb. 24, 1997; 65 FR 61749, Oct. 17, 2000]

022 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.12]**Subpart A - General Provisions****Circumvention.**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[39 FR 9314, Mar. 8, 1974]

023 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.13]**Subpart A - General Provisions****Monitoring requirements.**

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

(b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under §60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.

(c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under §60.11(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of this part before the performance test required under §60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under §60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of this part. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under §60.8 and as described in §60.11(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in paragraph (c) of this section at least 10 days before the performance test required under §60.8 is conducted.

(2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

(d) (1) Owners and operators of a CEMS installed in accordance with the provisions of this part, must check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once each operating day in accordance with a written procedure. The zero and span must, at a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of this part. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified. Owners and operators of a COMS installed in accordance with the provisions of this part must check the zero and upscale (span) calibration drifts at least once daily. For a particular COMS, the acceptable range of zero and upscale calibration materials is defined in the applicable version of PS-1 in appendix B of this part. For a

**SECTION E. Source Group Restrictions.**

COMS, the optical surfaces, exposed to the effluent gases, must be cleaned before performing the zero and upscale drift adjustments, except for systems using automatic zero adjustments. The optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

(2) Unless otherwise approved by the Administrator, the following procedures must be followed for a COMS. Minimum procedures must include an automated method for producing a simulated zero opacity condition and an upscale opacity condition using a certified neutral density filter or other related technique to produce a known obstruction of the light beam. Such procedures must provide a system check of all active analyzer internal optics with power or curvature, all active electronic circuitry including the light source and photodetector assembly, and electronic or electro-mechanical systems and hardware and or software used during normal measurement operation.

(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by paragraph (c) of this section for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(2) All continuous monitoring systems referenced by paragraph (c) of this section for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of this part shall be used.

(g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.

(h) (1) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in §60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period.

(2) For continuous monitoring systems other than opacity, 1-hour averages shall be computed as follows, except that the provisions pertaining to the validation of partial operating hours are only applicable for affected facilities that are required by the applicable subpart to include partial hours in the emission calculations:

(i) Except as provided under paragraph (h)(2)(iii) of this section, for a full operating hour (any clock hour with 60 minutes of unit operation), at least four valid data points are required to calculate the hourly average, i.e., one data point in each of the 15-minute quadrants of the hour.

(ii) Except as provided under paragraph (h)(2)(iii) of this section, for a partial operating hour (any clock hour with less than 60 minutes of unit operation), at least one valid data point in each 15-minute quadrant of the hour in which the unit operates is required to calculate the hourly average.

(iii) For any operating hour in which required maintenance or quality-assurance activities are performed:

(A) If the unit operates in two or more quadrants of the hour, a minimum of two valid data points, separated by at

**SECTION E. Source Group Restrictions.**

least 15 minutes, is required to calculate the hourly average; or

(B) If the unit operates in only one quadrant of the hour, at least one valid data point is required to calculate the hourly average.

(iv) If a daily calibration error check is failed during any operating hour, all data for that hour shall be invalidated, unless a subsequent calibration error test is passed in the same hour and the requirements of paragraph (h)(2)(iii) of this section are met, based solely on valid data recorded after the successful calibration.

(v) For each full or partial operating hour, all valid data points shall be used to calculate the hourly average.

(vi) Except as provided under paragraph (h)(2)(vi) of this section, data recorded during periods of continuous monitoring system breakdown, repair, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph.

(vii) Owners and operators complying with the requirements of §60.7(f)(1) or (2) must include any data recorded during periods of monitor breakdown or malfunction in the data averages.

(viii) When specified in an applicable subpart, hourly averages for certain partial operating hours shall not be computed or included in the emission averages (e.g., hours with < 30 minutes of unit operation under §60.47b(d)).

(ix) Either arithmetic or integrated averaging of all data may be used to calculate the hourly averages. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant).

(3) All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in the applicable subpart. After conversion into units of the standard, the data may be rounded to the same number of significant digits used in the applicable subpart to specify the emission limit.

(i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:

(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances in the effluent gases.

(2) Alternative monitoring requirements when the affected facility is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.

(7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

(8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.

(9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities is released to the atmosphere through more than one point.

**SECTION E. Source Group Restrictions.**

(j) An alternative to the relative accuracy (RA) test specified in Performance Specification 2 of appendix B may be requested as follows:

(1) An alternative to the reference method tests for determining RA is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the RA test in Section 8.4 of Performance Specification 2 and substitute the procedures in Section 16.0 if the results of a performance test conducted according to the requirements in §60.8 of this subpart or other tests performed following the criteria in §60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the RA test and substitute the procedures in Section 16.0 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the RA test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).

(2) The waiver of a CEMS RA test will be reviewed and may be rescinded at such time, following successful completion of the alternative RA procedure, that the CEMS data indicate that the source emissions are approaching the level. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., §§60.45(g) (2) and (3), 60.73(e), and 60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of RA testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a RA test of the CEMS as specified in Section 8.4 of Performance Specification 2.

[Source: 40 FR 46255, Oct. 6, 1975]

024 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.14]

Subpart A - General Provisions

Modification.

(a) Except as provided under paragraphs (e) and (f) of this section, any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.

(b) Emission rate shall be expressed as kg/hr of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:

(1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors," EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrates that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.

(2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in paragraph (b)(1) of this section does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in paragraph (b)(1) of this section. When the

**SECTION E. Source Group Restrictions.**

emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in appendix C of this part shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.

(c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.

(d) [Reserved]

(e) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and §60.15.

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by §60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.

(6) The relocation or change in ownership of an existing facility.

(f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.

(g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in paragraph (a) of this section, compliance with all applicable standards must be achieved.

(h) [Paragraphs (h) through (l) of the regulation are not applicable to this facility.]

[40 FR 58419, Dec. 16, 1975, as amended at 43 FR 34347, Aug. 3, 1978; 45 FR 5617, Jan. 23, 1980; 57 FR 32339, July 21, 1992; 65 FR 61750, Oct. 17, 2000]

025 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.15]**Subpart A - General Provisions****Reconstruction.**

(a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.

(b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and

(2) It is technologically and economically feasible to meet the applicable standards set forth in this part.

**SECTION E. Source Group Restrictions.**

(c) "Fixed capital cost" means the capital needed to provide all the depreciable components.

(d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:

- (1) Name and address of the owner or operator.
- (2) The location of the existing facility.
- (3) A brief description of the existing facility and the components which are to be replaced.
- (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.
- (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.
- (6) The estimated life of the existing facility after the replacements.

(7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

(e) The Administrator will determine, within 30 days of the receipt of the notice required by paragraph (d) of this section and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.

(f) The Administrator's determination under paragraph (e) shall be based on:

- (1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;
- (2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;
- (3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and
- (4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.

(g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.

[40 FR 58420, Dec. 16, 1975]

026 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.150]

Subpart O - Standards of Performance for Sewage Treatment Plants

Applicability and designation of affected facility.

(a) The affected facility is each incinerator that combusts wastes containing more than 10 percent sewage sludge (dry basis) produced by municipal sewage treatment plants, or each incinerator that charges more than 1000 kg (2205 lb) per day municipal sewage sludge (dry basis).

(b) Any facility under paragraph (a) of this section that commences construction or modification after June 11, 1973, is subject to the requirements of this subpart.

[42 FR 58521, Nov. 10, 1977]

027 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5]

Subpart A - General Provisions

Determination of construction or modification.

(a) When requested to do so by an owner or operator, the Administrator will make a determination of whether action taken

**SECTION E. Source Group Restrictions.**

or intended to be taken by such owner or operator constitutes construction (including reconstruction) or modification or the commencement thereof within the meaning of this part.

(b) The Administrator will respond to any request for a determination under paragraph (a) of this section within 30 days of receipt of such request.

[40 FR 58418, Dec. 16, 1975]

028 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.6]**Subpart A - General Provisions****Review of plans.**

(a) When requested to do so by an owner or operator, the Administrator will review plans for construction or modification for the purpose of providing technical advice to the owner or operator.

(b) (1) A separate request shall be submitted for each construction or modification project.

(2) Each request shall identify the location of such project, and be accompanied by technical information describing the proposed nature, size, design, and method of operation of each affected facility involved in such project, including information on any equipment to be used for measurement or control of emissions.

(c) Neither a request for plans review nor advice furnished by the Administrator in response to such request shall (1) relieve an owner or operator of legal responsibility for compliance with any provision of this part or of any applicable State or local requirement, or (2) prevent the Administrator from implementing or enforcing any provision of this part or taking any other action authorized by the Act.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974]

029 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.7]**Subpart A - General Provisions****Notification and record keeping.**

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

(1) A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

(2) [Reserved]

(3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

(5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with §60.13(c). Notification shall be postmarked not less than 30 days prior to such date.

(6) A notification of the anticipated date for conducting the opacity observations required by §60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

(7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by §60.8 in lieu of Method 9 observation data as allowed by §60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance

**SECTION E. Source Group Restrictions.**

test.

(b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with §60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

(d) The summary report form shall contain the information and be in the format shown in figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility. [Refer to regulation 40 CFR §60.7(d) for Figure 1]

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in §60.7(c) need not be submitted unless requested by the Administrator.

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in §60.7(c) shall both be submitted.

[Refer to regulation for Figure 1]

(e) (1) Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in

**SECTION E. Source Group Restrictions.**

paragraph (e)(2) of this section.

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in paragraphs (e)(1) and (e)(2) of this section.

(f) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:

(1) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(2) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(g) If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of paragraph (a) of this section.

(h) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

[36 FR 24877, Dec. 28, 1971, as amended at 40 FR 46254, Oct. 6, 1975; 40 FR 58418, Dec. 16, 1975; 45 FR 5617, Jan. 23, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 52 FR 9781, Mar. 26, 1987; 55 FR 51382, Dec. 13, 1990; 59 FR 12428, Mar. 16, 1994; 59 FR 47265, Sep. 15, 1994; 64 FR 7463, Feb. 12, 1999]

**SECTION E. Source Group Restrictions.****# 030 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.8]****Subpart A - General Provisions****Performance tests.**

(a) Except as specified in paragraphs (a)(1), (a)(2), (a)(3), and (a)(4) of this section, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

(1) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure, the owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.

(2) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.

(3) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.

(4) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(1), (2), and (3) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

(d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the Administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.

(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

**SECTION E. Source Group Restrictions.**

(1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(2) Safe sampling platform(s).

(3) Safe access to sampling platform(s).

(4) Utilities for sampling and testing equipment.

(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method.

(1) Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

(2) Contents of report (electronic or paper submitted copy). Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, the report for a performance test shall include the elements identified in paragraphs (f)(2)(i) through (vi) of this section.

(i) General identification information for the facility including a mailing address, the physical address, the owner or operator or responsible official (where applicable) and his/her email address, and the appropriate Federal Registry System (FRS) number for the facility.

(ii) Purpose of the test including the applicable regulation(s) requiring the test, the pollutant(s) and other parameters being measured, the applicable emission standard and any process parameter component, and a brief process description.

(iii) Description of the emission unit tested including fuel burned, control devices, and vent characteristics; the appropriate source classification code (SCC); the permitted maximum process rate (where applicable); and the sampling location.

(iv) Description of sampling and analysis procedures used and any modifications to standard procedures, quality assurance procedures and results, record of process operating conditions that demonstrate the applicable test conditions are met, and values for any operating parameters for which limits were being set during the test.

(v) Where a test method requires you record or report, the following shall be included: Record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, chain-of-custody documentation, and example calculations for reported results.

(vi) Identification of the company conducting the performance test including the primary office address, telephone number, and the contact for this test program including his/her email address.

(g) The performance testing shall include a test method performance audit (PA) during the performance test. The PAs consist of blind audit samples supplied by an accredited audit sample provider and analyzed during the performance test in order to provide a measure of test data bias. Gaseous audit samples are designed to audit the performance of the sampling system as well as the analytical system and must be collected by the sampling system during the compliance test just as the compliance samples are collected. If a liquid or solid audit sample is designed to audit the sampling system, it must also be collected by the sampling system during the compliance test. If multiple sampling systems or sampling trains are used during the compliance test for any of the test methods, the tester is only required to use one of the sampling systems per method to collect the audit sample. The audit sample must be analyzed by the same analyst using the same analytical reagents and analytical system and at the same time as the compliance samples. Retests are

**SECTION E. Source Group Restrictions.**

required when there is a failure to produce acceptable results for an audit sample. However, if the audit results do not affect the compliance or noncompliance status of the affected facility, the compliance authority may waive the reanalysis requirement, further audits, or retests and accept the results of the compliance test. Acceptance of the test results shall constitute a waiver of the reanalysis requirement, further audits, or retests. The compliance authority may also use the audit sample failure and the compliance test results as evidence to determine the compliance or noncompliance status of the affected facility. A blind audit sample is a sample whose value is known only to the sample provider and is not revealed to the tested facility until after they report the measured value of the audit sample. For pollutants that exist in the gas phase at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in air or nitrogen that can be introduced into the sampling system of the test method at or near the same entry point as a sample from the emission source. If no gas phase audit samples are available, an acceptable alternative is a sample of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. For samples that exist only in a liquid or solid form at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. An accredited audit sample provider (AASP) is an organization that has been accredited to prepare audit samples by an independent, third party accrediting body.

(1) The source owner, operator, or representative of the tested facility shall obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. No audit samples are required for the following test methods: Methods 3A and 3C of appendix A-3 of part 60, Methods 6C, 7E, 9, and 10 of appendix A-4 of part 60, Methods 18 and 19 of appendix A-6 of part 60, Methods 20, 22, and 25A of appendix A-7 of part 60, Methods 30A and 30B of appendix A-8 of part 60, and Methods 303, 318, 320, and 321 of appendix A of part 63 of this chapter. If multiple sources at a single facility are tested during a compliance test event, only one audit sample is required for each method used during a compliance test. The compliance authority responsible for the compliance test may waive the requirement to include an audit sample if they believe that an audit sample is not necessary. "Commercially available" means that two or more independent AASPs have blind audit samples available for purchase. If the source owner, operator, or representative cannot find an audit sample for a specific method, the owner, operator, or representative shall consult the EPA Web site at the following URL, www.epa.gov/ttn/emc, to confirm whether there is a source that can supply an audit sample for that method. If the EPA Web site does not list an available audit sample at least 60 days prior to the beginning of the compliance test, the source owner, operator, or representative shall not be required to include an audit sample as part of the quality assurance program for the compliance test. When ordering an audit sample, the source owner, operator, or representative shall give the sample provider an estimate for the concentration of each pollutant that is emitted by the source or the estimated concentration of each pollutant based on the permitted level and the name, address, and phone number of the compliance authority. The source owner, operator, or representative shall report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and shall report the results of the audit sample to the AASP. The source owner, operator, or representative shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the AASP. If the method being audited is a method that allows the samples to be analyzed in the field and the tester plans to analyze the samples in the field, the tester may analyze the audit samples prior to collecting the emission samples provided a representative of the compliance authority is present at the testing site. The tester may request and the compliance authority may grant a waiver to the requirement that a representative of the compliance authority must be present at the testing site during the field analysis of an audit sample. The source owner, operator, or representative may report the results of the audit sample to the compliance authority and report the results of the audit sample to the AASP prior to collecting any emission samples. The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

(2) An AASP shall have and shall prepare, analyze, and report the true value of audit samples in accordance with a written technical criteria document that describes how audit samples will be prepared and distributed in a manner that will ensure the integrity of the audit sample program. An acceptable technical criteria document shall contain standard operating procedures for all of the following operations:

(i) Preparing the sample;

(ii) Confirming the true concentration of the sample;

(iii) Defining the acceptance limits for the results from a well qualified tester. This procedure must use well established statistical methods to analyze historical results from well qualified testers. The acceptance limits shall be set so that there is 95 percent confidence that 90 percent of well qualified labs will produce future results that are within the

**SECTION E. Source Group Restrictions.**

acceptance limit range.

(iv) Providing the opportunity for the compliance authority to comment on the selected concentration level for an audit sample;

(v) Distributing the sample to the user in a manner that guarantees that the true value of the sample is unknown to the user;

(vi) Recording the measured concentration reported by the user and determining if the measured value is within acceptable limits;

(vii) The AASP shall report the results from each audit sample in a timely manner to the compliance authority and then to the source owner, operator, or representative. The AASP shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the source owner, operator, or representative. The results shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, and whether the testing company passed or failed the audit. The AASP shall report the true value of the audit sample to the compliance authority. The AASP may report the true value to the source owner, operator, or representative if the AASP's operating plan ensures that no laboratory will receive the same audit sample twice.

(viii) Evaluating the acceptance limits of samples at least once every two years to determine in cooperation with the voluntary consensus standard body if they should be changed;

(ix) Maintaining a database, accessible to the compliance authorities, of results from the audit that shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, the true value of the audit sample, the acceptance range for the measured value, and whether the testing company passed or failed the audit.

(3) The accrediting body shall have a written technical criteria document that describes how it will ensure that the AASP is operating in accordance with the AASP technical criteria document that describes how audit samples are to be prepared and distributed. This document shall contain standard operating procedures for all of the following operations:

(i) Checking audit samples to confirm their true value as reported by the AASP;

(ii) Performing technical systems audits of the AASP's facilities and operating procedures at least once every two years;

(iii) Providing standards for use by the voluntary consensus standard body to approve the accrediting body that will accredit the audit sample providers.

(4) The technical criteria documents for the accredited sample providers and the accrediting body shall be developed through a public process guided by a voluntary consensus standards body (VCSB). The VCSB shall operate in accordance with the procedures and requirements in the Office of Management and Budget Circular A-119. A copy of Circular A-119 is available upon request by writing the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, by calling (202) 395-6880 or downloading online at http://standards.gov/standards_gov/a119.cfm. The VCSB shall approve all accrediting bodies. The Administrator will review all technical criteria documents. If the technical criteria documents do not meet the minimum technical requirements in paragraphs (g)(2) through (4) of this section, the technical criteria documents are not acceptable and the proposed audit sample program is not capable of producing audit samples of sufficient quality to be used in a compliance test. All acceptable technical criteria documents shall be posted on the EPA Web site at the following URL, <http://www.epa.gov/ttn/emc>.

(h) Unless otherwise specified in the applicable subpart, each test location must be verified to be free of cyclonic flow and evaluated for the existence of emission gas stratification and the required number of sampling traverse points. If other procedures are not specified in the applicable subpart to the regulations, use the appropriate procedures in Method 1 to

**SECTION E. Source Group Restrictions.**

check for cyclonic flow and Method 7E to evaluate emission gas stratification and selection of sampling points.

(i) Whenever the use of multiple calibration gases is required by a test method, performance specification, or quality assurance procedure in a part 60 standard or appendix, Method 205 of 40 CFR part 51, appendix M of this chapter, "Verification of Gas Dilution Systems for Field Instrument Calibrations," may be used.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974; 42 FR 57126, Nov. 1, 1977; 44 FR 33612, June 11, 1979; 54 FR 6662, Feb. 14, 1989; 54 FR 21344, May 17, 1989; 64 FR 7463, Feb. 12, 1999; 72 FR 27442, May 16, 2007; 75 FR 55646, Sept. 13, 2010; 79 FR 11241, Feb. 27, 2014; 81 FR 59809, Aug. 30, 2016]

031 [40 CFR Part 61 NESHAPs §40 CFR 61.05]**Subpart A--General Provisions****Prohibited activities.**

(a) After the effective date of any standard, no owner or operator shall construct or modify any stationary source subject to that standard without first obtaining written approval from the Administrator in accordance with this subpart, except under an exemption granted by the President under section 112(c)(2) of the Act. Sources, the construction or modification of which commenced after the publication date of the standards proposed to be applicable to the sources, are subject to this prohibition.

(b) After the effective date of any standard, no owner or operator shall operate a new stationary source subject to that standard in violation of the standard, except under an exemption granted by the President under section 112(c)(2) of the Act.

(c) Ninety days after the effective date of any standard, no owner or operator shall operate any existing source subject to that standard in violation of the standard, except under a waiver granted by the Administrator under this part or under an exemption granted by the President under section 112(c)(2) of the Act.

(d) No owner or operator subject to the provisions of this part shall fail to report, revise reports, or report source test results as required under this part.

[38 FR 8826, Apr. 6, 1973, as amended at 50 FR 46291, Nov. 7, 1985]

032 [40 CFR Part 61 NESHAPs §40 CFR 61.06]**Subpart A--General Provisions****Determination of construction or modification.**

An owner or operator may submit to the Administrator a written application for a determination of whether actions intended to be taken by the owner or operator constitute construction or modification, or commencement thereof, of a source subject to a standard. The Administrator will notify the owner or operator of his determination within 30 days after receiving sufficient information to evaluate the application.

[50 FR 46291, Nov. 7, 1985]

033 [40 CFR Part 61 NESHAPs §40 CFR 61.07]**Subpart A--General Provisions****Application for approval of construction or modification.**

(a) The owner or operator shall submit to the Administrator an application for approval of the construction of any new source or modification of any existing source. The application shall be submitted before the construction or modification is planned to commence, or within 30 days after the effective date if the construction or modification had commenced before the effective date and initial startup has not occurred. A separate application shall be submitted for each stationary source.

(b) Each application for approval of construction shall include—

(1) The name and address of the applicant;

(2) The location or proposed location of the source; and

(3) Technical information describing the proposed nature, size, design, operating design capacity, and method of operation of the source, including a description of any equipment to be used for control of emissions. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the

**SECTION E. Source Group Restrictions.**

calculations.

(c) Each application for approval of modification shall include, in addition to the information required in paragraph (b) of this section—

(1) The precise nature of the proposed changes;

(2) The productive capacity of the source before and after the changes are completed; and

(3) Calculations of estimates of emissions before and after the changes are completed, in sufficient detail to permit assessment of the validity of the calculations.

[50 FR 46291, Nov. 7, 1985]

034 [40 CFR Part 61 NESHAPs §40 CFR 61.08]

Subpart A--General Provisions

Approval of construction or modification.

(a) The Administrator will notify the owner or operator of approval or intention to deny approval of construction or modification within 60 days after receipt of sufficient information to evaluate an application under §61.07.

(b) If the Administrator determines that a stationary source for which an application under §61.07 was submitted will not cause emissions in violation of a standard if properly operated, the Administrator will approve the construction or modification.

(c) Before denying any application for approval of construction or modification, the Administrator will notify the applicant of the Administrator's intention to issue the denial together with—

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

(2) Notice of opportunity for the applicant to present, within such time limit as the Administrator shall specify, additional information or arguments to the Administrator before final action on the application.

(d) A final determination to deny any application for approval will be in writing and will specify the grounds on which the denial is based. The final determination will be made within 60 days of presentation of additional information or arguments, or 60 days after the final date specified for presentation if no presentation is made.

(e) Neither the submission of an application for approval nor the Administrator's approval of construction or modification shall—

(1) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or of any other applicable Federal, State, or local requirement; or

(2) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

[50 FR 46291, Nov. 7, 1985]

035 [40 CFR Part 61 NESHAPs §40 CFR 61.09]

Subpart A--General Provisions

Notification of startup.

(a) The owner or operator of each stationary source which has an initial startup after the effective date of a standard shall furnish the Administrator with written notification as follows:

(1) A notification of the anticipated date of initial startup of the source not more than 60 days nor less than 30 days before that date.

(2) A notification of the actual date of initial startup of the source within 15 days after that date.

(b) If any State or local agency requires a notice which contains all the information required in the notification in paragraph

**SECTION E. Source Group Restrictions.**

(a) of this section, sending the Administrator a copy of that notification will satisfy paragraph (a) of this section.

[50 FR 46291, Nov. 7, 1985]

036 [40 CFR Part 61 NESHAPs §40 CFR 61.10]

Subpart A--General Provisions

Source reporting and waiver request.

(a) The owner or operator of each existing source or each new source which had an initial startup before the effective date shall provide the following information in writing to the Administrator within 90 days after the effective date:

(1) Name and address of the owner or operator.

(2) The location of the source.

(3) The type of hazardous pollutants emitted by the stationary source.

(4) A brief description of the nature, size, design, and method of operation of the stationary source including the operating design capacity of the source. Identify each point of emission for each hazardous pollutant.

(5) The average weight per month of the hazardous materials being processed by the source, over the last 12 months preceding the date of the report.

(6) A description of the existing control equipment for each emission point including—

(i) Each control device for each hazardous pollutant; and

(ii) Estimated control efficiency (percent) for each control device.

(7) A statement by the owner or operator of the source as to whether the source can comply with the standards within 90 days after the effective date.

(b) The owner or operator of an existing source unable to comply with an applicable standard may request a waiver of compliance with that standard for a period not exceeding 2 years after the effective date. Any request shall be in writing and shall include the following information:

(1) A description of the controls to be installed to comply with the standard.

(2) A compliance schedule, including the date each step toward compliance will be reached. The list shall include as a minimum the following dates:

(i) Date by which contracts for emission control systems or process changes for emission control will be awarded, or date by which orders will be issued for the purchase of component parts to accomplish emission control or process changes;

(ii) Date of initiation of onsite construction or installation of emission control equipment or process change;

(iii) Date by which onsite construction or installation of emission control equipment or process change is to be completed; and

(iv) Date by which final compliance is to be achieved.

(3) A description of interim emission control steps which will be taken during the waiver period.

(c) Any change in the information provided under paragraph (a) of this section or §61.07(b) shall be provided to the Administrator within 30 days after the change. However, if any change will result from modification of the source, §§61.07(c) and 61.08 apply.

**SECTION E. Source Group Restrictions.**

(d) A possible format for reporting under this section is included as appendix A of this part. Advice on reporting the status of compliance may be obtained from the Administrator.

(e) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.

(f) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

(g) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (j) of this section.

(h) If an owner or operator of a stationary source in a State with delegated authority is required to submit reports under this part to the State, and if the State has an established timeline for the submission of reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the source is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (j) of this section.

(i) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 60, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the source is required to be in compliance with the applicable subpart in this part, or 1 year after the source is required to be in compliance with the applicable part 60 or part 63 standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (j) of this section.

(j) (1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (j)(2) and (j)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (j)(2) and (j)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient

**SECTION E. Source Group Restrictions.**

information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[38 FR 8826, Apr. 6, 1973, as amended at 50 FR 46292, Nov. 7, 1985; 59 FR 12430, Mar. 16, 1994]

037 [40 CFR Part 61 NESHAPs §40 CFR 61.11]

Subpart A--General Provisions

Waiver of compliance.

(a) Based on the information provided in any request under §61.10, or other information, the Administrator may grant a waiver of compliance with a standard for a period not exceeding 2 years after the effective date of the standard.

(b) The waiver will be in writing and will—

- (1) Identify the stationary source covered;
- (2) Specify the termination date of the waiver;
- (3) Specify dates by which steps toward compliance are to be taken; and

(4) Specify any additional conditions which the Administrator determines necessary to assure installation of the necessary controls within the waiver period and to assure protection of the health of persons during the waiver period.

(c) The Administrator may terminate the waiver at an earlier date than specified if any specification under paragraphs (b)(3) and (b)(4) of this section are not met.

(d) Before denying any request for a waiver, the Administrator will notify the owner or operator making the request of the Administrator's intention to issue the denial, together with—

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

(2) Notice of opportunity for the owner or operator to present, within the time limit the Administrator specifies, additional information or arguments to the Administrator before final action on the request.

(e) A final determination to deny any request for a waiver will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 60 days after presentation of additional information or argument; or within 60 days after the final date specified for the presentation if no presentation is made.

(f) The granting of a waiver under this section shall not abrogate the Administrator's authority under section 114 of the Act.

[50 FR 46292, Nov. 7, 1985]

038 [40 CFR Part 61 NESHAPs §40 CFR 61.12]

Subpart A--General Provisions

Compliance with standards and maintenance requirements.

(a) Compliance with numerical emission limits shall be determined in accordance with emission tests established in 40 CFR §61.13 or as otherwise specified in an individual subpart.

(b) Compliance with design, equipment, work practice or operational standards shall be determined as specified in an individual subpart.

(c) The owner or operator of each stationary source shall maintain and operate the source, including associated equipment for air pollution control, in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating 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 operating and maintenance procedures, and inspection of the source.

**SECTION E. Source Group Restrictions.**

(d) (1) If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in emissions of a pollutant from a source at least equivalent to the reduction in emissions of that pollutant from that source achieved under any design, equipment, work practice or operational standard, the Administrator will publish in the Federal Register a notice permitting the use of the alternative means for purposes of compliance with the standard. The notice will restrict the permission to the source(s) or category(ies) of sources on which the alternative means will achieve equivalent emission reductions. The notice may condition permission on requirements related to the operation and maintenance of the alternative means.

(2) Any notice under paragraph (d)(1) shall be published only after notice and an opportunity for a hearing.

(3) Any person seeking permission under this subsection shall, unless otherwise specified in the applicable subpart, submit a proposed test plan or the results of testing and monitoring, a description of the procedures followed in testing or monitoring, and a description of pertinent conditions during testing or monitoring.

(e) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test had been performed.

[50 FR 46292, Nov. 7, 1985, as amended 62 FR 8328, Feb. 24, 1997]

039 [40 CFR Part 61 NESHAPs §40 CFR 61.13]**Subpart A--General Provisions****Emission tests and waiver of emission tests.**

(a) Except as provided in paragraphs (a)(3), (a)(4), (a)(5), and (a)(6) of this section, if required to do emission testing by an applicable subpart and unless a waiver of emission testing is obtained under this section, the owner or operator shall test emissions from the source:

(1) Within 90 days after the effective date, for an existing source or a new source which has an initial startup date before the effective date.

(2) Within 90 days after initial startup, for a new source which has an initial startup date after the effective date.

(3) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure, the owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline specified in paragraphs (a)(1) or (a)(2) of this section or beyond a deadline established pursuant to the requirements under paragraph (b) of this section, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.

(4) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.

(5) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.

(6) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(3), (a)(4), and (a)(5) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) The Administrator may require an owner or operator to test emissions from the source at any other time when the action is authorized by section 114 of the Act.

**SECTION E. Source Group Restrictions.**

- (c) The owner or operator shall notify the Administrator of the emission test at least 30 days before the emission test to allow the Administrator the opportunity to have an observer present during the test.
- (d) If required to do emission testing, the owner or operator of each new source and, at the request of the Administrator, the owner or operator of each existing source shall provide emission testing facilities as follows:
- (1) Sampling ports adequate for test methods applicable to each source.
 - (2) Safe sampling platform(s).
 - (3) Safe access to sampling platform(s).
 - (4) Utilities for sampling and testing equipment.
 - (5) Any other facilities that the Administrator needs to safely and properly test a source.
- (e) Each emission test shall be conducted under such conditions as the Administrator shall specify based on design and operational characteristics of the source.
- (1) The performance testing shall include a test method performance audit (PA) during the performance test. The PAs consist of blind audit samples supplied by an accredited audit sample provider and analyzed during the performance test in order to provide a measure of test data bias. Gaseous audit samples are designed to audit the performance of the sampling system as well as the analytical system and must be collected by the sampling system during the compliance test just as the compliance samples are collected. If a liquid or solid audit sample is designed to audit the sampling system, it must also be collected by the sampling system during the compliance test. If multiple sampling systems or sampling trains are used during the compliance test for any of the test methods, the tester is only required to use one of the sampling systems per method to collect the audit sample. The audit sample must be analyzed by the same analyst using the same analytical reagents and analytical system and at the same time as the compliance samples. Retests are required when there is a failure to produce acceptable results for an audit sample. However, if the audit results do not affect the compliance or noncompliance status of the affected facility, the compliance authority may waive the reanalysis requirement, further audits, or retests and accept the results of the compliance test. Acceptance of the test results shall constitute a waiver of the reanalysis requirement, further audits, or retests. The compliance authority may also use the audit sample failure and the compliance test results as evidence to determine the compliance or noncompliance status of the affected facility. A blind audit sample is a sample whose value is known only to the sample provider and is not revealed to the tested facility until after they report the measured value of the audit sample. For pollutants that exist in the gas phase at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in air or nitrogen that can be introduced into the sampling system of the test method at or near the same entry point as a sample from the emission source. If no gas phase audit samples are available, an acceptable alternative is a sample of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. For samples that exist only in a liquid or solid form at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. An accredited audit sample provider (AASP) is an organization that has been accredited to prepare audit samples by an independent, third party accrediting body.
- (i) The source owner, operator, or representative of the tested facility shall obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. No audit samples are required for the following test methods: Methods 3A and 3C of appendix A-3 of part 60 of this chapter; Methods 6C, 7E, 9, and 10 of appendix A-4 of part 60; Method 18 and 19 of appendix A-6 of part 60; Methods 20, 22, and 25A of appendix A-7 of part 60; Methods 30A and 30B of appendix A-8 of part 60; and Methods 303, 318, 320, and 321 of appendix A of part 63 of this chapter. If multiple sources at a single facility are tested during a compliance test event, only one audit sample is required for each method used during a compliance test. The compliance authority responsible for the compliance test may waive the requirement to include an audit sample if they believe that an audit sample is not necessary. "Commercially available" means that two or more independent AASPs have blind audit samples available for purchase. If the source owner, operator, or representative cannot find an audit sample for a specific method, the owner, operator, or representative shall consult the EPA Web site at the following URL, www.epa.gov/ttn/emc, to confirm whether there is a source that can supply an audit sample for that method. If the EPA Web site does not list an available audit sample at least 60 days prior to the beginning of the compliance test, the source owner, operator, or representative shall not be required to include an audit

**SECTION E. Source Group Restrictions.**

sample as part of the quality assurance program for the compliance test. When ordering an audit sample, the source owner, operator, or representative shall give the sample provider an estimate for the concentration of each pollutant that is emitted by the source or the estimated concentration of each pollutant based on the permitted level and the name, address, and phone number of the compliance authority. The source owner, operator, or representative shall report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and shall report the results of the audit sample to the AASP. The source owner, operator, or representative shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the AASP. If the method being audited is a method that allows the samples to be analyzed in the field and the tester plans to analyze the samples in the field, the tester may analyze the audit samples prior to collecting the emission samples provided a representative of the compliance authority is present at the testing site. The tester may request, and the compliance authority may grant, a waiver to the requirement that a representative of the compliance authority must be present at the testing site during the field analysis of an audit sample. The source owner, operator, or representative may report the results of the audit sample to the compliance authority and then report the results of the audit sample to the AASP prior to collecting any emission samples. The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

(ii) An AASP shall have and shall prepare, analyze, and report the true value of audit samples in accordance with a written technical criteria document that describes how audit samples will be prepared and distributed in a manner that will ensure the integrity of the audit sample program. An acceptable technical criteria document shall contain standard operating procedures for all of the following operations:

(A) Preparing the sample;

(B) Confirming the true concentration of the sample;

(C) Defining the acceptance limits for the results from a well qualified tester. This procedure must use well established statistical methods to analyze historical results from well qualified testers. The acceptance limits shall be set so that there is 95 percent confidence that 90 percent of well qualified labs will produce future results that are within the acceptance limit range;

(D) Providing the opportunity for the compliance authority to comment on the selected concentration level for an audit sample;

(E) Distributing the sample to the user in a manner that guarantees that the true value of the sample is unknown to the user;

(F) Recording the measured concentration reported by the user and determining if the measured value is within acceptable limits;

(G) Reporting the results from each audit sample in a timely manner to the compliance authority and to the source owner, operator, or representative by the AASP. The AASP shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the source owner, operator, or representative. The results shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, and whether the testing company passed or failed the audit. The AASP shall report the true value of the audit sample to the compliance authority. The AASP may report the true value to the source owner, operator, or representative if the AASP's operating plan ensures that no laboratory will receive the same audit sample twice.

(H) Evaluating the acceptance limits of samples at least once every two years to determine in consultation with the voluntary consensus standard body if they should be changed;

(I) Maintaining a database, accessible to the compliance authorities, of results from the audit that shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, the true value of the audit sample, the acceptance range for the measured value, and whether the testing company passed or failed the audit.

**SECTION E. Source Group Restrictions.**

(iii) The accrediting body shall have a written technical criteria document that describes how it will ensure that the AASP is operating in accordance with the AASP technical criteria document that describes how audit or samples are to be prepared and distributed. This document shall contain standard operating procedures for all of the following operations:

(A) Checking audit samples to confirm their true value as reported by the AASP.

(B) Performing technical systems audits of the AASP's facilities and operating procedures at least once every two years.

(C) Providing standards for use by the voluntary consensus standard body to approve the accrediting body that will accredit the audit sample providers.

(iv) The technical criteria documents for the accredited sample providers and the accrediting body shall be developed through a public process guided by a voluntary consensus standards body (VCSB). The VCSB shall operate in accordance with the procedures and requirements in the Office of Management and Budget Circular A-119. A copy of Circular A-119 is available upon request by writing the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, by calling (202) 395-6880 or downloading online at http://standards.gov/standards_gov/a119.cfm. The VCSB shall approve all accrediting bodies. The Administrator will review all technical criteria documents. If the technical criteria documents do not meet the minimum technical requirements in paragraphs (e)(1)(ii) through (iv) of this section, the technical criteria documents are not acceptable and the proposed audit sample program is not capable of producing audit samples of sufficient quality to be used in a compliance test. All acceptable technical criteria documents shall be posted on the EPA Web site at the following URL, <http://www.epa.gov/ttn/emc>.

(2) [Reserved]

(f) Unless otherwise specified in an applicable subpart, samples shall be analyzed and emissions determined within 30 days after each emission test has been completed. The owner or operator shall report the determinations of the emission test to the Administrator by a registered letter sent before the close of business on the 31st day following the completion of the emission test.

(g) The owner or operator shall retain at the source and make available, upon request, for inspection by the Administrator, for a minimum of 2 years, records of emission test results and other data needed to determine emissions.

(h)(1) Emission tests shall be conducted as set forth in this section, the applicable subpart and appendix B unless the Administrator—

(i) Specifies or approves the use of a reference method with minor changes in methodology; or

(ii) Approves the use of an alternative method; or

(iii) Waives the requirement for emission testing because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the source is in compliance with the standard.

(2) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative method, he may require the use of a reference method. If the results of the reference and alternative methods do not agree, the results obtained by the reference method prevail.

(3) The owner or operator may request approval for the use of an alternative method at any time, except—

(i) For an existing source or a new source that had an initial startup before the effective date, any request for use of an alternative method during the initial emission test shall be submitted to the Administrator within 30 days after the effective date, or with the request for a waiver of compliance if one is submitted under §60.10(b); or

(ii) For a new source that has an initial startup after the effective date, any request for use of an alternative method during the initial emission test shall be submitted to the Administrator no later than with the notification of anticipated startup required under §60.09.

(i)(1) Emission tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the

**SECTION E. Source Group Restrictions.**

source is meeting the standard, or the source is being operated under a waiver or compliance, or the owner or operator has requested a waiver of compliance and the Administrator is still considering that request.

(2) If application for waiver of the emission test is made, the application shall accompany the information required by §61.10 or the notification of startup required by §61.09, whichever is applicable. A possible format is contained in appendix A to this part.

(3) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later cancelling the waiver. The cancellation will be made only after notice is given to the owner or operator of the source.

[50 FR 46292, Nov. 7, 1985, as amended at 72 FR 27442, May 16, 2007; 75 FR 55652, Sept. 13, 2010; 79 FR 11275, Feb. 27, 2014; 81 FR 59825, Aug. 30, 2016]

040 [40 CFR Part 61 NESHAPs §40 CFR 61.14]**Subpart A--General Provisions****Monitoring requirements.**

(a) Unless otherwise specified, this section applies to each monitoring system required under each subpart which requires monitoring.

(b) Each owner or operator shall maintain and operate each monitoring system as specified in the applicable subpart and in a manner consistent with good air pollution control practice for minimizing emissions. Any unavoidable breakdown or malfunction of the monitoring system should be repaired or adjusted as soon as practicable after its occurrence. The Administrator's determination of whether acceptable operating and maintenance procedures are being used will be based on information which may include, but not be limited to, review of operating and maintenance procedures, manufacturer recommendations and specifications, and inspection of the monitoring system.

(c) When required by the applicable subpart, and at any other time the Administrator may require, the owner or operator of a source being monitored shall conduct a performance evaluation of the monitoring system and furnish the Administrator with a copy of a written report of the results within 60 days of the evaluation. Such a performance evaluation shall be conducted according to the applicable specifications and procedures described in the applicable subpart. The owner or operator of the source shall furnish the Administrator with written notification of the date of the performance evaluation at least 30 days before the evaluation is to begin.

(d) When the effluents from a single source, or from two or more sources subject to the same emission standards, are combined before being released to the atmosphere, the owner or operator shall install a monitoring system on each effluent or on the combined effluent. If two or more sources are not subject to the same emission standards, the owner or operator shall install a separate monitoring system on each effluent, unless otherwise specified. If the applicable standard is a mass emission standard and the effluent from one source is released to the atmosphere through more than one point, the owner or operator shall install a monitoring system at each emission point unless the installation of fewer systems is approved by the Administrator.

(e) The owner or operator of each monitoring system shall reduce the monitoring data as specified in each applicable subpart. Monitoring data recorded during periods of unavoidable monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in any data average.

(f) The owner or operator shall maintain records of monitoring data, monitoring system calibration checks, and the occurrence and duration of any period during which the monitoring system is malfunctioning or inoperative. These records shall be maintained at the source for a minimum of 2 years and made available, upon request, for inspection by the Administrator.

(g)(1) Monitoring shall be conducted as set forth in this section and the applicable subpart unless the Administrator—

(i) Specifies or approves the use of the specified monitoring requirements and procedures with minor changes in methodology; or

(ii) Approves the use of alternatives to any monitoring requirements or procedures.

**SECTION E. Source Group Restrictions.**

(2) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative monitoring method, the Administrator may require the monitoring requirements and procedures specified in this part.

[50 FR 46293, Nov. 7, 1985]

041 [40 CFR Part 61 NESHAPs §40 CFR 61.15]**Subpart A--General Provisions****Modification.**

(a) Except as provided under paragraph (d) of this section, any physical or operational change to a stationary source which results in an increase in the rate of emission to the atmosphere of a hazardous pollutant to which a standard applies shall be considered a modification.

(b) Upon modification, an existing source shall become a new source for each hazardous pollutant for which the rate of emission to the atmosphere increases and to which a standard applies.

(c) Emission rate shall be expressed as kg/hr of any hazardous pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine the emission rate:

(1) Emission factors as specified in the background information document (BID) for the applicable standard, or in the latest issue of "Compilation of Air Pollutant Emission Factors," EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where use of emission factors demonstrates that the emission rate will clearly increase or clearly not increase as a result of the physical or operational change.

(2) Material balances, monitoring data, or manual emission tests in cases where use of emission factors, as referenced in paragraph (c)(1) of this section, does not demonstrate to the Administrator's satisfaction that the emission rate will clearly increase or clearly not increase as a result of the physical or operational change, or where an interested person demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator using emission factors. When the emission rate is based on results from manual emission tests or monitoring data, the procedures specified in appendix C of 40 CFR part 60 shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator. At least three test runs must be conducted before and at least three after the physical or operational change. If the Administrator approves, the results of the emission tests required in §61.13(a) may be used for the test runs to be conducted before the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum degree feasible for all test runs.

(d) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category.

(2) An increase in production rate of a stationary source, if that increase can be accomplished without a capital expenditure on the stationary source.

(3) An increase in the hours of operation.

(4) Any conversion to coal that meets the requirements specified in section 111(a)(8) of the Act.

(5) The relocation or change in ownership of a stationary source. However, such activities must be reported in accordance with §61.10(c).

[50 FR 46294, Nov. 7, 1985]

042 [40 CFR Part 61 NESHAPs §40 CFR 61.30]**Subpart C--National Emission Standard for Beryllium****Applicability.**

The provisions of this subpart are applicable to the following stationary sources:

(a) Extraction plants, ceramic plants, foundries, incinerators, and propellant plants which process beryllium ore, beryllium,

**SECTION E. Source Group Restrictions.**

beryllium oxide, beryllium alloys, or beryllium-containing waste.

(b) Machine shops which process beryllium, beryllium oxides, or any alloy when such alloy contains more than 5 percent beryllium by weight.

[38 FR 8826, Apr. 6, 1973, as amended at 65 FR 62151, Oct. 17, 2000]

043 [40 CFR Part 61 NESHAPs §40 CFR 61.31]

Subpart C--National Emission Standard for Beryllium

Definitions.

Terms used in this subpart are defined in the act, in subpart A of this part, or in this section as follows:

(a) Beryllium means the element beryllium. Where weights or concentrations are specified, such weights or concentrations apply to beryllium only, excluding the weight or concentration of any associated elements.

(b) [Not applicable to this facility.]

(c) Beryllium ore means any naturally occurring material mined or gathered for its beryllium content.

(d) - (f) [Not applicable to this facility.]

(g) Beryllium-containing waste means material contaminated with beryllium and/or beryllium compounds used or generated during any process or operation performed by a source subject to this subpart.

(h) Incinerator means any furnace used in the process of burning waste for the primary purpose of reducing the volume of the waste by removing combustible matter.

(i) [Not applicable to this facility.]

(j) Beryllium alloy means any metal to which beryllium has been added in order to increase its beryllium content and which contains more than 0.1 percent beryllium by weight.

(k) [Not applicable to this facility.]

[Source: 38 FR 8826, Apr. 6, 1973]

044 [40 CFR Part 61 NESHAPs §40 CFR 61.50]

Subpart E--National Emission Standard for Mercury

Applicability.

The provisions of this subpart are applicable to those stationary sources which process mercury ore to recover mercury, use mercury chlor-alkali cells to produce chlorine gas and alkali metal hydroxide, and incinerate or dry wastewater treatment plant sludge.

[40 FR 48302, Oct. 14, 1975]

045 [40 CFR Part 61 NESHAPs §40 CFR 61.51]

Subpart E--National Emission Standard for Mercury

Definitions.

Terms used in this subpart are defined in the act, in subpart A of this part, or in this section as follows:

(a) Mercury means the element mercury, excluding any associated elements, and includes mercury in particulates, vapors, aerosols, and compounds.

(b) Mercury ore means a mineral mined specifically for its mercury content.

(c) Mercury ore processing facility means a facility processing mercury ore to obtain mercury.

(d) Condenser stack gases mean the gaseous effluent evolved from the stack of processes utilizing heat to extract mercury

**SECTION E. Source Group Restrictions.**

metal from mercury ore.

(e) Mercury chlor-alkali cell means a device which is basically composed of an electrolyzer section and a denuder (decomposer) section and utilizes mercury to produce chlorine gas, hydrogen gas, and alkali metal hydroxide.

(f) Mercury chlor-alkali electrolyzer means an electrolytic device which is part of a mercury chlor-alkali cell and utilizes a flowing mercury cathode to produce chlorine gas and alkali metal amalgam.

(g) Denuder means a horizontal or vertical container which is part of a mercury chlor-alkali cell and in which water and alkali metal amalgam are converted to alkali metal hydroxide, mercury, and hydrogen gas in a short-circuited, electrolytic reaction.

(h) Hydrogen gas stream means a hydrogen stream formed in the chlor-alkali cell denuder.

(i) End box means a container(s) located on one or both ends of a mercury chlor-alkali electrolyzer which serves as a connection between the electrolyzer and denuder for rich and stripped amalgam.

(j) End box ventilation system means a ventilation system which collects mercury emissions from the end-boxes, the mercury pump sumps, and their water collection systems.

(k) Cell room means a structure(s) housing one or more mercury electrolytic chlor-alkali cells.

(l) Sludge means sludge produced by a treatment plant that processes municipal or industrial waste waters.

(m) Sludge dryer means a device used to reduce the moisture content of sludge by heating to temperatures above 65 °C (ca. 150 °F) directly with combustion gases.

[38 FR 8826, Apr. 6, 1973, as amended at 40 FR 48302, Oct. 14, 1975]

***** Permit Shield in Effect. *****

**SECTION E. Source Group Restrictions.**

Group Name: 3 - PART 60 SUBPART MMMM

Group Description: 40 CFR Part 60 Subpart MMMM -- Emission Guidelines for Existing SSI's (Sewage Sludge Incineration Units)

Sources included in this group

ID	Name
001	SEWAGE SLUDGE INCINERATOR 1
002	SEWAGE SLUDGE INCINERATOR 2
109	ASH LOADOUT

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5165]****Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units**
What emission limits and standards must I meet and by when?

You must meet the emission limits and standards specified in Table 2 or 3 to this subpart by the final compliance date under the approved state plan, Federal plan, or delegation, as applicable. [Note: Table 2 is not applicable to the SSI units at Erie WWTP.] [Note: Pennsylvania does not have an approved state plan at the time of this Title V permit issuance; the Final Compliance Date according to Table 1 of this subpart is March 21, 2016.] The emission limits and standards apply at all times the unit is operating and during periods of malfunction. The emission limits and standards apply to emissions from a bypass stack or vent while sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time).

[Source: 76 FR 15404, Mar. 21, 2011]

002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5180]**Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units****Do the emission limits, emission standards, and operating limits apply during periods of startup, shutdown, and malfunction?**

The emission limits and standards apply at all times and during periods of malfunction.

The operating limits apply at all times that sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time).

For determining compliance with the CO concentration limit using CO CEMS, the correction to 7 percent oxygen does not apply during periods of startup or shutdown. Use the measured CO concentration without correcting for oxygen concentration in averaging with other CO concentrations (corrected to 7 percent O₂) to determine the 24-hour average value.

[Source: 76 FR 15404, Mar. 21, 2011]

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §Table 3 to Subpart MMMM of Part 60]**Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units****Model Rule—Emission Limits and Standards for Existing Multiple Hearth Sewage Sludge Incineration Units**

[The following are the Emission limits and Standards of Table 3 to Part 60 of Subpart MMMM for Existing Multiple Hearth Sewage Sludge Incinerators. A copy of Table 3 is available at the following web address.

<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-60/subpart-MMMM/appendix-Table%203%20to%20Subpart%20MMMM%20of%20Part%2060>]

Particulate matter: 80 milligrams per dry standard cubic meter

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes or duration: 3-run average (collect a minimum volume of 0.75 dry standard cubic meters per run).

And you must determine compliance using this method: Performance test (Method 5 at 40 CFR part 60, appendix A-3; Method 26A or Method 29 at 40 CFR part 60, appendix A-8).

Hydrogen chloride: 1.2 parts per million by dry volume

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes

**SECTION E. Source Group Restrictions.**

or duration:3-run average (For Method 26, collect a minimum volume of 200 liters per run. For Method 26A, collect a minimum volume of 1 dry standard cubic meters per run).

And you must determine compliance using this method: Performance test (Method 26 or 26A at 40 CFR part 60, appendix A-8).

Carbon monoxide: 3,800 parts per million by dry volume

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes or duration:3-run average (collect sample for a minimum duration of one hour per run).

And you must determine compliance using this method: Performance test (Method 10, 10A, or 10B at 40 CFR part 60, appendix A-4).

Dioxins/furans (total mass basis): 5.0 nanograms per dry standard cubic meter; or

Dioxins/furans (toxic equivalency basis) (See Note b): 0.32 nanograms per dry standard cubic meter.

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes or duration:3-run average (collect a minimum volume of 1 dry standard cubic meters per run).

And you must determine compliance using this method: Performance test (Method 23 at 40 CFR part 60, appendix A-7).

Mercury: 0.28 milligrams per dry standard cubic meter

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes or duration:3-run average (For Method 29 and ASTM D6784-02 (Reapproved 2008), (See Note c) collect a minimum volume of 1 dry standard cubic meters per run. For Method 30B, collect a minimum sample as specified in Method 30B at 40 CFR part 60, appendix A-8).

And you must determine compliance using this method: Performance test (Method 29 at 40 CFR part 60, appendix A-8; Method 30B at 40 CFR part 60, appendix A-8; or ASTM D6784-02 (Reapproved 2008)).c

Oxides of nitrogen: 220 parts per million by dry volume

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes or duration:3-run average (Collect sample for a minimum duration of one hour per run).

And you must determine compliance using this method: Performance test (Method 7 or 7E at 40 CFR part 60, appendix A-4).

Sulfur dioxide: 26 parts per million by dry volume

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes or duration:3-run average (For Method 6, collect a minimum volume of 200 liters per run. For Method 6C, collect sample for a minimum duration of one hour per run).

And you must determine compliance using this method: Performance test (Method 6 or 6C at 40 CFR part 40, appendix A-4; or ANSI/ASME PTC 19.10-1981).c

Cadmium: 0.095 milligrams per dry standard cubic meter

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes or duration:3-run average (collect a minimum volume of 1 dry standard cubic meters per run).

And you must determine compliance using this method: Performance test (Method 29 at 40 CFR part 60, appendix A-8).

Lead: 0.30 milligrams per dry standard cubic meter

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes or duration:3-run average (collect a minimum volume of 1 dry standard cubic meters per run).

And you must determine compliance using this method: Performance test (Method 29 at 40 CFR part 60, appendix A-8).

Fugitive emissions from ash handling: Visible emissions of combustion ash from an ash conveying system (including conveyor transfer points) for no more than 5 percent of the hourly observation period

You must meet this emission limit (See Note a) using the following averaging method and minimum sampling volumes or duration:Three 1-hour observation periods.

And you must determine compliance using this method: Visible emission test (Method 22 of appendix A-7 of this part).

Note a: All emission limits are measured at 7 percent oxygen, dry basis at standard conditions.

Note b: You have the option to comply with either the dioxin/furan emission limit on a total mass basis or the dioxin/furan

**SECTION E. Source Group Restrictions.**

emission limit on a toxic equivalency basis.

Note c: Incorporated by reference, see §60.17.

[SOURCE: 76 FR 15404, Mar. 21, 2011]

II. TESTING REQUIREMENTS.

**# 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5185]
Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How and when do I demonstrate initial compliance with the emission limits and standards?**

[Note: Table 2 to this subpart is not applicable to Erie WWTP. Table 3 is applicable.]

To demonstrate initial compliance with the emission limits and standards in Table 2 or 3 to this subpart, use the procedures specified in paragraph (a) of this section. In lieu of using the procedures specified in paragraph (a) of this section, you have the option to demonstrate initial compliance using the procedures specified in paragraph (b) of this section for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium, lead, and fugitive emissions from ash handling. You must meet the requirements of paragraphs (a) and (b) of this section, as applicable, and paragraphs (c) through (e) of this section, according to the performance testing, monitoring, and calibration requirements in § 60.5220(a) and (b).

(a) Demonstrate initial compliance using the performance test required in § 60.8. You must demonstrate that your SSI unit meets the emission limits and standards specified in Table 2 or 3 to this subpart for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium, lead, and fugitive emissions from ash handling using the performance test. The initial performance test must be conducted using the test methods, averaging methods, and minimum sampling volumes or durations specified in Table 2 or 3 to this subpart and according to the testing, monitoring, and calibration requirements specified in § 60.5220(a).

(1) Except as provided in paragraph (e) of this section, you must demonstrate that your SSI unit meets the emission limits and standards specified in Table 2 or 3 to this subpart by your final compliance date (see Table 1 to this subpart). [The final compliance date is March 21, 2016.]

(2) You may use the results from a performance test conducted within the 2 previous years that was conducted under the same conditions and demonstrated compliance with the emission limits and standards in Table 2 or 3 to this subpart, provided no process changes have been made since you conducted that performance test. However, you must continue to meet the operating limits established during the most recent performance test that demonstrated compliance with the emission limits and standards in Table 2 or 3 to this subpart. The performance test must have used the test methods specified in Table 2 or 3 to this subpart.

(b) Demonstrate initial compliance using a continuous emissions monitoring system or continuous automated sampling system. The option to use a continuous emissions monitoring system for hydrogen chloride, dioxins/furans, cadmium, or lead takes effect on the date a final performance specification applicable to hydrogen chloride, dioxins/furans, cadmium, or lead is published in the Federal Register. The option to use a continuous automated sampling system for dioxins/furans takes effect on the date a final performance specification for such a continuous automated sampling system is published in the Federal Register. Collect data as specified in § 60.5220(b)(6) and use the following procedures:

(1) To demonstrate initial compliance with the emission limits specified in Table 2 or 3 to this subpart for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium, and lead, you may substitute the use of a continuous monitoring system in lieu of conducting the initial performance test required in paragraph (a) of this section, as follows:

(i) You may substitute the use of a continuous emissions monitoring system for any pollutant specified in paragraph (b)(1) of this section in lieu of conducting the initial performance test for that pollutant in paragraph (a) of this section. For determining compliance with the carbon monoxide concentration limit using carbon monoxide CEMS, the correction to 7 percent oxygen does not apply during periods of startup or shutdown. Use the measured carbon monoxide concentration without correcting for oxygen concentration in averaging with other carbon monoxide concentrations (corrected to 7 percent oxygen) to determine the 24-hour average value.

**SECTION E. Source Group Restrictions.**

(ii) You may substitute the use of a continuous automated sampling system for mercury or dioxins/furans in lieu of conducting the annual mercury or dioxin/furan performance test in paragraph (a) of this section.

(2) If you use a continuous emissions monitoring system to demonstrate compliance with an applicable emission limit in Table 2 or 3 to this subpart, as described in paragraph (b)(1) of this section, you must use the continuous emissions monitoring system and follow the requirements specified in § 60.5220(b). You must measure emissions according to § 60.13 to calculate 1-hour arithmetic averages, corrected to 7 percent oxygen (or carbon dioxide). You must demonstrate initial compliance using a 24-hour block average of these 1-hour arithmetic average emission concentrations, calculated using Equation 19-19 in section 12.4.1 of Method 19 of 40 CFR part 60, appendix A-7.

(3) If you use a continuous automated sampling system to demonstrate compliance with an applicable emission limit in Table 2 or 3 to this subpart, as described in paragraph (b)(1) of this section, you must:

(i) Use the continuous automated sampling system specified in § 60.58b(p) and (q), and measure and calculate average emissions corrected to 7 percent oxygen (or carbon dioxide) according to § 60.58b(p) and your monitoring plan.

(A) Use the procedures specified in § 60.58b(p) to calculate 24-hour block averages to determine compliance with the mercury emission limit in Table 2 or Table 3 to this subpart. [Typo in published regulation is corrected in this paragraph.] [Table 2 is not applicable to Erie WWTP.]

(B) Use the procedures specified in § 60.58b(p) to calculate 2-week block averages to determine compliance with the dioxin/furan (total mass basis or toxic equivalency basis) emission limit in Table 2 or Table 3 to this subpart. [Typo in published regulation is corrected in this paragraph.] [Table 2 is not applicable to Erie WWTP.]

(ii) Comply with the provisions in § 60.58b(q) to develop a monitoring plan. For mercury continuous automated sampling systems, you must use Performance Specification 12B of appendix B of part 75 and Procedure 5 of appendix F of this part.

(4) Except as provided in paragraph (e) of this section, you must complete your initial performance evaluations required under your monitoring plan for any continuous emissions monitoring systems and continuous automated sampling systems by your final compliance date (see Table 1 to this subpart). [The final compliance date in Table 1 is March 21, 2016.] Your performance evaluation must be conducted using the procedures and acceptance criteria specified in § 60.5200(a)(3).

(c) To demonstrate initial compliance with the dioxins/furans toxic equivalency emission limit in Table 2 or 3 to this subpart, determine dioxins/furans toxic equivalency as follows:

(1) Measure the concentration of each dioxin/furan tetra- through octachlorinated-isomer emitted using EPA Method 23 at 40 CFR part 60, appendix A-7.

(2) Multiply the concentration of each dioxin/furan (tetra- through octa-chlorinated) isomer by its corresponding toxic equivalency factor specified in Table 5 to this subpart.

(3) Sum the products calculated in accordance with paragraph (c)(2) of this section to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

(d) Submit an initial compliance report, as specified in § 60.5235(b).

(e) If you demonstrate initial compliance using the performance test specified in paragraph (a) of this section, then the provisions of this paragraph (e) apply. If a force majeure is about to occur, occurs, or has occurred for which you intend to assert a claim of force majeure, you must notify the Administrator in writing as specified in § 60.5235(g). You must conduct the initial performance test as soon as practicable after the force majeure occurs. The Administrator will determine whether or not to grant the extension to the initial performance test deadline, and will notify you in writing of approval or disapproval of the request for an extension as soon as practicable. Until an extension of the performance test deadline has been approved by the Administrator, you remain strictly subject to the requirements of this subpart.

[Source: 76 FR 15404, Mar. 21, 2011]

**SECTION E. Source Group Restrictions.****# 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5205]
Subpart M — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How and when do I demonstrate continuous compliance with the emission limits and standards?**

To demonstrate continuous compliance with the emission limits and standards specified in Table 2 or 3 to this subpart, use the procedures specified in paragraph (a) of this section. In lieu of using the procedures specified in paragraph (a) of this section, you have the option to demonstrate initial compliance using the procedures specified in paragraph (b) of this section for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium, lead, and fugitive emissions from ash handling. You must meet the requirements of paragraphs (a) and (b) of this section, as applicable, and paragraphs (c) through (e) of this section, according to the performance testing, monitoring, and calibration requirements in § 60.5220(a) and (b). You may also petition the Administrator for alternative monitoring parameters as specified in paragraph (f) of this section.

[Table 3 is applicable; Table 2 of this subpart is not applicable to Erie WWTP.]

(a) Demonstrate continuous compliance using a performance test. Except as provided in paragraphs (a)(3) and (e) of this section, following the date that the initial performance test for each pollutant in Table 2 or 3 to this subpart is completed, you must conduct a performance test for each such pollutant on an annual basis (between 11 and 13 calendar months following the previous performance test). The performance test must be conducted using the test methods, averaging methods, and minimum sampling volumes or durations specified in Table 2 or 3 to this subpart and according to the testing, monitoring, and calibration requirements specified in § 60.5220(a).

(1) You may conduct a repeat performance test at any time to establish new values for the operating limits to apply from that point forward. The Administrator may request a repeat performance test at any time.

(2) You must repeat the performance test within 60 days of a process change, as defined in § 60.5250.

(3) Except as specified in paragraphs (a)(1) and (2) of this section, you can conduct performance tests less often for a given pollutant, as specified in paragraphs (a)(3)(i) through (iii) of this section.

(i) You can conduct performance tests less often if your performance tests for the pollutant for at least 2 consecutive years show that your emissions are at or below 75 percent of the emission limit specified in Table 2 or 3 to this subpart, and there are no changes in the operation of the affected source or air pollution control equipment that could increase emissions. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the third year and no more than 37 months after the previous performance test.

(ii) If your SSI unit continues to meet the emission limit for the pollutant, you may choose to conduct performance tests for the pollutant every third year if your emissions are at or below 75 percent of the emission limit, and if there are no changes in the operation of the affected source or air pollution control equipment that could increase emissions, but each such performance test must be conducted no more than 37 months after the previous performance test.

(iii) If a performance test shows emissions exceeded 75 percent of the emission limit for a pollutant, you must conduct annual performance tests for that pollutant until all performance tests over 2 consecutive years show compliance.

(b) Demonstrate continuous compliance using a continuous emissions monitoring system or continuous automated sampling system. The option to use a continuous emissions monitoring system for hydrogen chloride, dioxins/furans, cadmium, or lead takes effect on the date a final performance specification applicable to hydrogen chloride, dioxins/furans, cadmium, or lead is published in the Federal Register. The option to use a continuous automated sampling system for dioxins/furans takes effect on the date a final performance specification for such a continuous automated sampling system is published in the Federal Register. Collect data as specified in § 60.5220(b)(6) and use the following procedures:

(1) To demonstrate continuous compliance with the emission limits for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium, and lead, you may substitute the use of a continuous monitoring system in lieu of conducting the annual performance test required in paragraph (a) of this section, as follows:

(i) You may substitute the use of a continuous emissions monitoring system for any pollutant specified in paragraph (b)(1) of this section in lieu of conducting the annual performance test for that pollutant in paragraph (a) of this

**SECTION E. Source Group Restrictions.**

section. For determining compliance with the carbon monoxide concentration limit using carbon monoxide CEMS, the correction to 7 percent oxygen does not apply during periods of startup or shutdown. Use the measured carbon monoxide concentration without correcting for oxygen concentration in averaging with other carbon monoxide concentrations (corrected to 7 percent oxygen) to determine the 24-hour average value.

(ii) You may substitute the use of a continuous automated sampling system for mercury or dioxins/furans in lieu of conducting the annual mercury or dioxin/furan performance test in paragraph (a) of this section.

(2) If you use a continuous emissions monitoring system to demonstrate compliance with an applicable emission limit in paragraph (b)(1) of this section, you must use the continuous emissions monitoring system and follow the requirements specified in § 60.5220(b). You must measure emissions according to § 60.13 to calculate 1-hour arithmetic averages, corrected to 7 percent oxygen (or carbon dioxide). You must demonstrate initial compliance using a 24-hour block average of these 1-hour arithmetic average emission concentrations, calculated using Equation 19-19 in section 12.4.1 of Method 19 of 40 CFR part 60, appendix A-7.

(3) If you use a continuous automated sampling system to demonstrate compliance with an applicable emission limit in paragraph (b)(1) of this section, you must:

(i) Use the continuous automated sampling system specified in § 60.58b(p) and (q), and measure and calculate average emissions corrected to 7 percent oxygen (or carbon dioxide) according to § 60.58b(p) and your monitoring plan.

(A) Use the procedures specified in § 60.58b(p) to calculate 24-hour averages to determine compliance with the mercury emission limit in Table 2 or Table 3 to this subpart. [Typo in published regulation is corrected in this paragraph.]

(B) Use the procedures specified in § 60.58b(p) to calculate 2-week averages to determine compliance with the dioxin/furan (total mass basis or toxic equivalency basis) emission limits in Table 2 or Table 3 to this subpart. [Typo in published regulation is corrected in this paragraph.]

(ii) Update your monitoring plan as specified in § 60.4880(e). For mercury continuous automated sampling systems, you must use Performance Specification 12B of appendix B of part 75 and Procedure 5 of appendix F of this part.

(4) Except as provided in paragraph (e) of this section, you must complete your periodic performance evaluations required in your monitoring plan for any continuous emissions monitoring systems and continuous automated sampling systems, according to the schedule specified in your monitoring plan. If you were previously determining compliance by conducting an annual performance test (or according to the less frequent testing for a pollutant as provided in paragraph (a)(3) of this section), you must complete the initial performance evaluation required under your monitoring plan in § 60.5200 for the continuous monitoring system prior to using the continuous emissions monitoring system to demonstrate compliance or continuous automated sampling system. Your performance evaluation must be conducted using the procedures and acceptance criteria specified in § 60.5200(a)(3).

(c) To demonstrate compliance with the dioxins/furans toxic equivalency emission limit in paragraph (a) or (b) of this section, you must determine dioxins/furans toxic equivalency as follows:

(1) Measure the concentration of each dioxin/furan tetra- through octachlorinated-isomer emitted using Method 23 at 40 CFR part 60, appendix A-7.

(2) For each dioxin/furan (tetra- through octachlorinated) isomer measured in accordance with paragraph (c)(1) of this section, multiply the isomer concentration by its corresponding toxic equivalency factor specified in Table 5 to this subpart.

(3) Sum the products calculated in accordance with paragraph (c)(2) of this section to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

(d) You must submit an annual compliance report as specified in § 60.5235(c). You must submit a deviation report as specified in § 60.5235(d) for each instance that you did not meet each emission limit in Table 2 or Table 3 to this subpart.

(e) If you demonstrate continuous compliance using a performance test, as specified in paragraph (a) of this section, then

**SECTION E. Source Group Restrictions.**

the provisions of this paragraph (e) apply. If a force majeure is about to occur, occurs, or has occurred for which you intend to assert a claim of force majeure, you must notify the Administrator in writing as specified in § 60.5235(g). You must conduct the performance test as soon as practicable after the force majeure occurs. The Administrator will determine whether or not to grant the extension to the performance test deadline, and will notify you in writing of approval or disapproval of the request for an extension as soon as practicable. Until an extension of the performance test deadline has been approved by the Administrator, you remain strictly subject to the requirements of this subpart.

(f) After any initial requests in § 60.5200 for alternative monitoring requirements for initial compliance, you may subsequently petition the Administrator for alternative monitoring parameters as specified in §§ 60.13(i) and 60.5200(e).

[Source: 76 FR 15404, Mar. 21, 2011]

006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5220] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What are the performance testing, monitoring, and calibration requirements for compliance with the emission limits and standards?

You must meet, as applicable, the performance testing requirements specified in paragraph (a) of this section, the monitoring requirements specified in paragraph (b) of this section, the air pollution control device inspections requirements specified in paragraph (c) of this section, and the bypass stack provisions specified in paragraph (d) of this section.

(a) Performance testing requirements.

(1) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations, as specified in § 60.8(c). Emissions in excess of the emission limits or standards during periods of startup, shutdown, and malfunction are considered deviations from the applicable emission limits or standards.

(2) You must document that the dry sludge burned during the performance test is representative of the sludge burned under normal operating conditions by:

(i) Maintaining a log of the quantity of sewage sludge burned during the performance test by continuously monitoring and recording the average hourly rate that sewage sludge is fed to the incinerator.

(ii) Maintaining a log of the moisture content of the sewage sludge burned during the performance test by taking grab samples of the sewage sludge fed to the incinerator for each 8 hour period that testing is conducted.

(3) All performance tests must be conducted using the test methods, minimum sampling volume, observation period, and averaging method specified in Table 3 to this subpart.

(4) Method 1 at 40 CFR part 60, appendix A must be used to select the sampling location and number of traverse points.

(5) Method 3A or 3B at 40 CFR part 60, appendix A-2 must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B at 40 CFR part 60, appendix A-2 must be used simultaneously with each method.

(6) All pollutant concentrations must be adjusted to 7 percent oxygen using Equation 1 of this section:

$$C(\text{adj}) = C(\text{meas}) * (20.9 - 7) / (20.9 - \%O_2) \quad (\text{Eq. 1})$$

View or download PDF document of Equation 1 at this link:

https://img.federalregister.gov/ER21MR11.020/ER21MR11.020_original_size.png

Where:

$C(\text{adj})$ = Pollutant concentration adjusted to 7 percent oxygen.

$C(\text{meas})$ = Pollutant concentration measured on a dry basis.

$(20.9 - 7)$ = 20.9 percent oxygen - 7 percent oxygen (defined oxygen correction basis).

20.9 = Oxygen concentration in air, percent.

**SECTION E. Source Group Restrictions.**

%O₂ = Oxygen concentration measured on a dry basis, percent.

(7) Performance tests must be conducted and data reduced in accordance with the test methods and procedures contained in this subpart unless the Administrator does one of the following.

(i) Specifies or approves, in specific cases, the use of a method with minor changes in methodology.

(ii) Approves the use of an equivalent method.

(iii) Approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance.

(iv) Waives the requirement for performance tests because you have demonstrated by other means to the Administrator's satisfaction that the affected SSI unit is in compliance with the standard.

(v) Approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph is construed to abrogate the Administrator's authority to require testing under section 114 of the Clean Air Act.

(8) You must provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, you must notify the Administrator as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator by mutual agreement.

(9) You must provide, or cause to be provided, performance testing facilities as follows:

(i) Sampling ports adequate for the test methods applicable to the SSI unit, as follows:

(A) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures.

(B) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(ii) Safe sampling platform(s).

(iii) Safe access to sampling platform(s).

(iv) Utilities for sampling and testing equipment.

(10) Unless otherwise specified in this subpart, each performance test must consist of three separate runs using the applicable test method. Each run must be conducted for the time and under the conditions specified in the applicable standard. Compliance with each emission limit must be determined by calculating the arithmetic mean of the three runs. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond your control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

(11) During each test run specified in paragraph (a)(1) of this section, you must operate your sewage sludge incinerator at a minimum of 85 percent of your maximum permitted capacity.

(b) See MONITORING REQUIREMENTS in this section of permit.

(c) See WORK PRACTICE REQUIREMENTS in this section of permit.

**SECTION E. Source Group Restrictions.**

(d) Bypass stack. Use of the bypass stack at any time that sewage sludge is being charged to the SSI unit is an emissions standards deviation for all pollutants listed in Table 3 to this subpart. The use of the bypass stack during a performance test invalidates the performance test.

[References in this regulation to Table 2 of this subpart are omitted from this condition since Table 2 is not applicable to Erie WWTP.]

[Source: 76 FR 15404, Mar. 21, 2011]

III. MONITORING REQUIREMENTS.**# 007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.58b]****Subpart Eb-Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994****Compliance and performance testing.**

(a) - (o) Not applicable.

(p) In place of periodic manual testing of dioxin/furan or mercury with EPA Reference Method 23, 29, or as an alternative ASTM D6784-02 (as applicable), the owner or operator of an affected facility may elect to install, calibrate, maintain, and operate a continuous automated sampling system for determining emissions discharged to the atmosphere. This option takes effect on the date a final performance specification applicable to such continuous automated sampling systems is published in the Federal Register or the date of approval of a site-specific monitoring plan required in paragraphs (p)(10) and (q) of this section. The owner or operator of an affected facility who elects to use a continuous automated sampling system to determine emissions instead of conducting manual performance testing shall install, calibrate, maintain, and operate the sampling system and conduct analyses in compliance with the requirements specified in paragraphs (p)(1) through (p)(12) of this section.

(1) Notify the Administrator one month before starting use of the system.

(2) Notify the Administrator one month before stopping use of the system.

(3) The initial performance evaluation shall be completed no later than 180 days after the date of initial startup of the affected facility, as specified under § 60.8 of subpart A of this part or within 180 days of notification to the Administrator of use of the continuous monitoring system if the owner or operator was previously determining compliance by manual performance testing using Method 23, 29, or as an alternative ASTM D6784-02 (as applicable), whichever is later.

(4) The owner or operator may request that compliance with the emission limits be determined using carbon dioxide measurements corrected to an equivalent of 7 percent oxygen. The relationship between oxygen and carbon dioxide levels for the affected facility shall be established as specified in paragraph (b)(6) of this section.

(5) The owner or operator shall conduct an initial performance test for emissions as required under § 60.8 of subpart A of this part. Compliance with the emission limits shall be determined by using the continuous automated sampling system specified in paragraph (p) of this section to collect integrated samples and analyze emissions for the time period specified in paragraphs (p)(5)(i) and (ii) of this section.

(i) For dioxin/furan, the continuous automated sampling system shall collect an integrated sample over each 2-week period. The collected sample shall be analyzed using Method 23.

(ii) For mercury, the continuous automated sampling system shall collect an integrated sample over each 24-hour daily period and the sample shall be analyzed according to the applicable final performance specification or the approved site-specific monitoring plan required by paragraph (q) of this section.

(6) Compliance with the emission limits shall be determined based on 2-week emission concentrations for dioxin/furan and on the 24-hour daily emission concentrations for mercury using samples collected at the system outlet. The emission concentrations shall be expressed in nanograms per dry standard cubic meter (total mass) for dioxin/furan and micrograms per dry standard cubic meter for mercury, corrected to 7 percent oxygen (dry basis).

(7) Beginning on the date two years after the respective final performance specification for continuous automated sampling systems for dioxin/furan or mercury is published in the Federal Register or two years after approval of a site-

**SECTION E. Source Group Restrictions.**

specific monitoring plan, the continuous automated sampling system must be operated and collect emissions for at least 90 percent of the operating hours per calendar quarter and 95 percent of the operating hours per calendar year that the affected facility is combusting municipal solid waste.

(8) All valid data shall be used in calculating emission concentrations.

(9) The continuous automated sampling system shall be operated according to the final performance specification in paragraphs (p)(9)(i) or (p)(9)(ii) of this section or the approved site-specific monitoring plan.

(i)-(ii) [Reserved]

(10) The owner or operator who elects to install, calibrate, maintain, and operate a continuous automated sampling system for dioxin/furan or mercury must develop and implement a site-specific monitoring plan as specified in paragraph (q) of this section. The owner or operator who relies on a performance specification may refer to that document in addressing applicable procedures and criteria.

(11) When emissions data are not obtained because of continuous automated sampling system breakdowns, repairs, quality assurance checks, or adjustments, parametric monitoring data shall be obtained by using other monitoring systems as approved by EPA.

(q) The owner or operator who elects to install, calibrate, maintain, and operate a continuous automated sampling system for dioxin/furan or mercury must develop and submit for approval by EPA, a site-specific monitoring plan that has sufficient detail to assure the validity of the continuous automated sampling system data and that addresses the elements and requirements in paragraphs (q)(1) through (q)(7) of this section.

(1) Installation of the continuous automated sampling system sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (e.g. , on or downstream of the last control device).

(2) Performance and equipment specifications for the sample interface, the pollutant concentration analytical method, and the data collection system.

(3) Performance evaluation procedures and acceptance criteria.

(4) Provisions for periods when the continuous automated sampling system is malfunctioning or is out of control as described in paragraphs (q)(4)(i) through (q)(4)(iii) of this section.

(i) The site-specific monitoring plan shall identify criteria for determining that the continuous automated sampling system is out of control. This shall include periods when the sampling system is not collecting a representative sample or is malfunctioning, or when the analytical method does not meet site-specific quality criteria established in paragraph (q)(5) of this section.

(ii) When the continuous automated sampling system is out of control as defined in paragraph (q)(4)(i) of this section, the owner or operator shall take the necessary corrective action and shall repeat all necessary tests that indicate that the system is out of control. The owner or operator shall take corrective action and conduct retesting until the performance requirements are within the applicable limits. The out-of-control period includes all hours that the sampling system was not collecting a representative sample or was malfunctioning, or hours represented by a sample for which the analysis did not meet the relevant quality criteria. Emissions data obtained during an out-of-control period shall not be used in determining compliance with the emission limits or to meet any data availability requirements in paragraph (p)(8) of this section.

(iii) The owner or operator of a continuous automated sampling system that is out of control as defined in paragraph (q)(4) of this section shall submit all information concerning out-of-control periods, including start and end dates and hours and descriptions of corrective actions taken in the annual or semiannual compliance reports required in § 60.59b(g) or (h).

(5) Ongoing data quality assurance procedures for continuous automated sampling systems as described in paragraphs (q)(5)(i) and (q)(5)(ii) of this section.

**SECTION E. Source Group Restrictions.**

(i) Develop and implement a continuous automated sampling system and analysis quality control program. As part of the quality control program, the owner or operator shall develop and submit to EPA for approval, upon request, a site-specific performance evaluation test plan for the continuous automated sampling system performance evaluation required in paragraph (q)(5)(ii) of this section. In addition, each quality control program shall include, at a minimum, a written protocol that describes procedures for each of the operations described in paragraphs (q)(7)(i)(A) through (q)(7)(i)(F) of this section.

(A) Correct placement, installation of the continuous automated sampling system such that the system is collecting a representative sample of gas;

(B) Initial and subsequent calibration of flow such that the sample collection rate of the continuous automated sampling system is known and verifiable;

(C) Procedures to assure representative (e.g., proportional or isokinetic) sampling;

(D) Preventive maintenance of the continuous automated sampling system, including spare parts inventory and procedures for cleaning equipment, replacing sample collection media, or other servicing at the end of each sample collection period;

(E) Data recording and reporting, including an automated indicator and recording device to show when the continuous automated monitoring system is operating and collecting data and when it is not collecting data;

(F) Accuracy audit procedures for analytical methods; and

(G) Program of corrective action for a malfunctioning continuous automated sampling system.

(ii) The performance evaluation test plan shall include the evaluation program objectives, an evaluation program summary, the performance evaluation schedule, data quality objectives, and both an internal and external quality assurance program. Data quality objectives are the pre-evaluation expectations of precision, accuracy, and completeness of data. The internal quality assurance program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of continuous automated sampling system performance, for example, plans for relative accuracy testing using the appropriate reference method in 60.58b(p)(3), and an assessment of quality of analysis results. The external quality assurance program shall include, at a minimum, systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(6) Conduct a performance evaluation of each continuous automated sampling system in accordance with the site-specific monitoring plan.

(7) Operate and maintain the continuous automated sampling system in continuous operation according to the site-specific monitoring plan.

[60 FR 65419, Dec. 19, 1995, as amended at 62 FR 45126, Aug. 25, 1997; 65 FR 61753, Oct. 17, 2000; 66 FR 57827, Nov. 16, 2001; 71 FR 27337, May 10, 2006]

**# 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5170]
Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What operating limits and requirements must I meet and by when?**

You must meet, as applicable, the operating limits and requirements specified in paragraphs (a) through (d) and (h) of this section, according to the schedule specified in paragraph (e) of this section. The operating parameters for which you will establish operating limits for a wet scrubber, fabric filter, electrostatic precipitator, or activated carbon injection are listed in Table 4 to this subpart. You must comply with the operating requirements in paragraph (f) of this section and the requirements in paragraph (g) of this section for meeting any new operating limits, re-established in § 60.5210. The operating limits apply at all times that sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time).

(a) You must meet a site-specific operating limit for minimum operating temperature of the combustion chamber (or

**SECTION E. Source Group Restrictions.**

afterburner combustion chamber) that you establish in § 60.5190.

(b) If you use a wet scrubber, electrostatic precipitator, activated carbon injection, or afterburner to comply with an emission limit, you must meet the site-specific operating limits that you establish in § 60.5190 for each operating parameter associated with each air pollution control device.

(c) Not applicable.

(d) You must meet the operating requirements in your site-specific fugitive emission monitoring plan, submitted as specified in § 60.5200(d) to ensure that your ash handling system will meet the emission standard for fugitive emissions from ash handling.

(e) You must meet the operating limits and requirements specified in paragraphs (a) through (d) of this section by the final compliance date under the approved state plan, Federal plan, or delegation, as applicable.

(f) You must monitor the feed rate and moisture content of the sewage sludge fed to the sewage sludge incinerator, as specified in paragraphs (f)(1) and (f)(2) of this section.

(1) Continuously monitor the sewage sludge feed rate and calculate a daily average for all hours of operation during each 24-hour period. Keep a record of the daily average feed rate, as specified in § 60.5230(f)(3)(ii).

(2) Take at least one grab sample per day of the sewage sludge fed to the sewage sludge incinerator. If you take more than one grab sample in a day, calculate the daily average for the grab samples. Keep a record of the daily average moisture content, as specified in § 60.5230(f)(3)(ii).

(g) For the operating limits and requirements specified in paragraphs (a) through (d) and (h) of this section, you must meet any new operating limits and requirements, re-established according to § 60.5210(d).

(h) Not applicable.

[Source: 76 FR 15404, Mar. 21, 2011]

**# 009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5190]
Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I establish my operating limits?**

[NOTE: Table 3 of 40 CFR Part 60 Subpart MMMM applies to this facility, but Table 2 of this subpart is not applicable to Erie WWTP.]

(a) You must establish the site-specific operating limits specified in paragraphs (b) through (h) of this section or established in § 60.5175, as applicable, during your initial performance tests required in § 60.5185. You must meet the requirements in § 60.5210(d) to confirm these operating limits or re-establish new operating limits using operating data recorded during any performance tests or performance evaluations required in § 60.5205. You must follow the data measurement and recording frequencies and data averaging times specified in Table 4 to this subpart or as established in § 60.5175, and you must follow the testing, monitoring, and calibration requirements specified in §§ 60.5220 and 60.5225 or established in § 60.5175. You are not required to establish operating limits for the operating parameters listed in Table 4 to this subpart for a control device if you use a continuous monitoring system to demonstrate compliance with the emission limits in Table 2 or 3 to this subpart for the applicable pollutants, as follows:

(1) For a scrubber designed to control emissions of hydrogen chloride or sulfur dioxide, you are not required to establish an operating limit and monitor scrubber liquid flow rate or scrubber liquid pH if you use the continuous monitoring system specified in §§ 60.4865(b) and 60.4885(b) to demonstrate compliance with the emission limit for hydrogen chloride or sulfur dioxide.

(2) For a scrubber designed to control emissions of particulate matter, cadmium, and lead, you are not required to establish an operating limit and monitor pressure drop across the scrubber or scrubber liquid flow rate if you use the continuous monitoring system specified in §§ 60.4865(b) and 60.4885(b) to demonstrate compliance with the emission limit for particulate matter, cadmium, and lead.

**SECTION E. Source Group Restrictions.**

(3) For an electrostatic precipitator designed to control emissions of particulate matter, cadmium, and lead, you are not required to establish an operating limit and monitor secondary voltage of the collection plates, secondary amperage of the collection plates, or effluent water flow rate at the outlet of the electrostatic precipitator if you use the continuous monitoring system specified in §§ 60.4865(b) and 60.4885(b) to demonstrate compliance with the emission limit for particulate matter, lead, and cadmium.

(4) - (5) Not applicable.

(b) Minimum pressure drop across each wet scrubber used to meet the particulate matter, lead, and cadmium emission limits in Table 2 or 3 to this subpart, equal to the lowest 4-hour average pressure drop across each such wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter, lead, and cadmium emission limits.

(c) Minimum scrubber liquid flow rate (measured at the inlet to each wet scrubber), equal to the lowest 4-hour average liquid flow rate measured during the most recent performance test demonstrating compliance with all applicable emission limits.

(d) Minimum scrubber liquid pH for each wet scrubber used to meet the sulfur dioxide or hydrogen chloride emission limits in Table 2 or 3 to this subpart, equal to the lowest 1-hour average scrubber liquid pH measured during the most recent performance test demonstrating compliance with the sulfur dioxide and hydrogen chloride emission limits.

(e) Minimum combustion chamber operating temperature (or minimum afterburner temperature), equal to the lowest 4-hour average combustion chamber operating temperature (or afterburner temperature) measured during the most recent performance test demonstrating compliance with all applicable emission limits.

(f) Minimum power input to the electrostatic precipitator collection plates, equal to the lowest 4-hour average secondary electric power measured during the most recent performance test demonstrating compliance with the particulate matter, lead, and cadmium emission limits. Power input must be calculated as the product of the secondary voltage and secondary amperage to the electrostatic precipitator collection plates. Both the secondary voltage and secondary amperage must be recorded during the performance test.

(g) [The required monitoring of paragraph §60.5190(g) of the regulation is streamlined out of the Title V permit in favor of Alternative Monitoring, requested by the permittee and approved by the EPA. The approved Alternative Monitoring is as follows.]

Influent water flow rate at the inlet of the electrostatic precipitator, equal to the 12-hour average established during the most recent performance test demonstrating compliance with the particulate matter, lead and cadmium limits. The 12-hour average will be calculated for compliance purposes as the average of the measured hourly flow rates for the 5-minute flushes and null flow rates over the 12-hour block of time.

(h) [Not applicable.]

[NOTE: On Nov. 2, 2015, EPA approved the monitoring of the WESP inlet wash/flush water flow rate as an alternative to monitoring the effluent flow rate at the outlet of the WESP. This approval is contingent upon the stack test adequately reflecting the operations described in the April 20, 2015, request to the EPA and subsequent correspondence. A copy of the approval is on file in PA DEP NWRO file AQ/Facilities/CASE/25-000-00179. The stack testing on the sewage sludge incinerators was performed on January 26-28 and February 2-4, 2016, and the November 13, 2018, Source Test Review Memo determined that Sources 001 & 002 were operating in compliance with the emission standards.]

[Source: 76 FR 15404, Mar. 21, 2011, for Paragraphs (a) through (f) and (h). And From November 2, 2015, letter from EPA Region III to Ebenezer Sada, PE, for Paragraph (g).]

010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5190] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I establish my operating limits?

[Paragraphs (a) through (f) and (h) of the regulation are printed in a separate condition in order to show the EPA-approved Alternative Monitoring separately in this Title V permit.]

**SECTION E. Source Group Restrictions.****§60.5190 (g) Alternative Monitoring Requirement:**

(g) Minimum effluent water flow rate at the outlet of the electrostatic precipitator, equal to the lowest 4-hour average effluent water flow rate at the outlet of the electrostatic precipitator measured during the most recent performance test demonstrating compliance with the particulate matter, lead, and cadmium emission limits.

(g) Influent water flow rate at the inlet of the electrostatic precipitator, equal to the 12-hour average established during the most recent performance test demonstrating compliance with the particulate matter, lead and cadmium limits. The 12-hour average will be calculated for compliance purposes as the average of the measured hourly flow rates for the 5-minute flushes and null flow rates over the 12-hour block of time.

[NOTE: On Nov. 2, 2015, EPA approved the monitoring of the WESP inlet wash/flush water flow rate as an alternative to monitoring the effluent flow rate at the outlet of the WESP. This approval is contingent upon the stack test adequately reflecting the operations described in the April 20, 2015, request to the EPA and subsequent correspondence. A copy of the approval is on file in PA DEP NWRO file AQ/Facilities/CASE/25-000-00179. The stack testing on the sewage sludge incinerators was performed on January 26-28 and February 2-4, 2016, and the November 13, 2018, Source Test Review Memo determined that Sources 001 & 002 were operating in compliance with the emission standards.]

[Source: 76 FR 15404, Mar. 21, 2011, and November 2, 2015, letter from EPA Region III to Ebenezer Sada, PE.]

011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5200] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I develop a site-specific monitoring plan for my continuous monitoring, bag leak detection, and ash handling systems, and by what date must I conduct an initial performance evaluation?

You must develop and submit to the Administrator for approval a site-specific monitoring plan for each continuous monitoring system required under this subpart, according to the requirements in paragraphs (a) through (c) of this section. This requirement also applies to you if you petition the Administrator for alternative monitoring parameters under § 60.13(i) and paragraph (e) of this section. If you use a continuous automated sampling system to comply with the mercury or dioxin/furan (total mass basis or toxic equivalency basis) emission limits, you must develop your monitoring plan as specified in § 60.58b(q), and you are not required to meet the requirements in paragraphs (a) and (b) of this section. You must also submit a site-specific monitoring plan for your ash handling system, as specified in paragraph (d) of this section. You must submit and update your monitoring plans as specified in paragraphs (f) through (h) of this section.

(a) For each continuous monitoring system, your monitoring plan must address the elements and requirements specified in paragraphs (a)(1) through (a)(8) of this section. You must operate and maintain the continuous monitoring system in continuous operation according to the site-specific monitoring plan.

(1) Installation of the continuous monitoring system sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (e.g., on or downstream of the last control device).

(2) Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer and the data collection and reduction systems.

(3) Performance evaluation procedures and acceptance criteria (e.g., calibrations).

(i) For continuous emissions monitoring systems, your performance evaluation and acceptance criteria must include, but is not limited to, the following:

(A) The applicable requirements for continuous emissions monitoring systems specified in § 60.13.

(B) The applicable performance specifications (e.g., relative accuracy tests) in appendix B of this part.

(C) The applicable procedures (e.g., quarterly accuracy determinations and daily calibration drift tests) in appendix F of this part.

(D) A discussion of how the occurrence and duration of out-of-control periods will affect the suitability of CEMS

**SECTION E. Source Group Restrictions.**

data, where out-of-control has the meaning given in section (a)(7)(i) of this section.

(ii) For continuous parameter monitoring systems, your performance evaluation and acceptance criteria must include, but is not limited to, the following:

(A) If you have an operating limit that requires the use of a flow monitoring system, you must meet the requirements in paragraphs (a)(3)(ii)(A)(1) through (4) of this section.

(1) Install the flow sensor and other necessary equipment in a position that provides a representative flow.

(2) Use a flow sensor with a measurement sensitivity of no greater than 2 percent of the expected process flow rate.

(3) Minimize the effects of swirling flow or abnormal velocity distributions due to upstream and downstream disturbances.

(4) Conduct a flow monitoring system performance evaluation in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(B) If you have an operating limit that requires the use of a pressure monitoring system, you must meet the requirements in paragraphs (a)(3)(ii)(B)(1) through (6) of this section.

(1) Install the pressure sensor(s) in a position that provides a representative measurement of the pressure (e.g., particulate matter scrubber pressure drop).

(2) Minimize or eliminate pulsating pressure, vibration, and internal and external corrosion.

(3) Use a pressure sensor with a minimum tolerance of 1.27 centimeters of water or a minimum tolerance of 1 percent of the pressure monitoring system operating range, whichever is less.

(4) Perform checks at least once each process operating day to ensure pressure measurements are not obstructed (e.g., check for pressure tap pluggage daily).

(5) Conduct a performance evaluation of the pressure monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(6) If at any time the measured pressure exceeds the manufacturer's specified maximum operating pressure range, conduct a performance evaluation of the pressure monitoring system in accordance with your monitoring plan and confirm that the pressure monitoring system continues to meet the performance requirements in your monitoring plan. Alternatively, install and verify the operation of a new pressure sensor.

(C) If you have an operating limit that requires a pH monitoring system, you must meet the requirements in paragraphs (a)(3)(ii)(C)(1) through (4) of this section.

(1) Install the pH sensor in a position that provides a representative measurement of scrubber effluent pH.

(2) Ensure the sample is properly mixed and representative of the fluid to be measured.

(3) Conduct a performance evaluation of the pH monitoring system in accordance with your monitoring plan at least once each process operating day.

(4) Conduct a performance evaluation (including a two-point calibration with one of the two buffer solutions having a pH within 1 of the operating limit pH level) of the pH monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than quarterly.

(D) If you have an operating limit that requires the use of a temperature measurement device, you must meet the requirements in paragraphs (a)(3)(ii)(D)(1) through (4) of this section.

**SECTION E. Source Group Restrictions.**

(1) Install the temperature sensor and other necessary equipment in a position that provides a representative temperature.

(2) Use a temperature sensor with a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit), or 1.0 percent of the temperature value, whichever is larger, for a noncryogenic temperature range.

(3) Use a temperature sensor with a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit), or 2.5 percent of the temperature value, whichever is larger, for a cryogenic temperature range.

(4) Conduct a temperature measurement device performance evaluation at the time of each performance test but no less frequently than annually.

(E) If you have an operating limit that requires a secondary electric power monitoring system for an electrostatic precipitator, you must meet the requirements in paragraphs (a)(3)(ii)(E)(1) and (2) of this section.

(1) Install sensors to measure (secondary) voltage and current to the electrostatic precipitator collection plates.

(2) Conduct a performance evaluation of the electric power monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(F) If you have an operating limit that requires the use of a monitoring system to measure sorbent injection rate (e.g., weigh belt, weigh hopper, or hopper flow measurement device), you must meet the requirements in paragraphs (a)(3)(ii)(F)(1) and (2) of this section.

(1) Install the system in a position(s) that provides a representative measurement of the total sorbent injection rate.

(2) Conduct a performance evaluation of the sorbent injection rate monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(4) Ongoing operation and maintenance procedures in accordance with the general requirements of § 60.11(d).

(5) Ongoing data quality assurance procedures in accordance with the general requirements of § 60.13.

(6) Ongoing recordkeeping and reporting procedures in accordance with the general requirements of § 60.7(b), (c), (c)(1), (c)(4), (d), (e), (f) and (g).

(7) Provisions for periods when the continuous monitoring system is out of control, as follows:

(i) A continuous monitoring system is out of control if the conditions of paragraph (a)(7)(i)(A) or (a)(7)(i)(B) of this section are met.

(A) The zero (low-level), mid-level (if applicable), or high-level calibration drift exceeds two times the applicable calibration drift specification in the applicable performance specification or in the relevant standard.

(B) The continuous monitoring system fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit.

(ii) When the continuous monitoring system is out of control as specified in paragraph (a)(7)(i) of this section, you must take the necessary corrective action and must repeat all necessary tests that indicate that the system is out of control. You must take corrective action and conduct retesting until the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour you conduct a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements established under this part. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits.

**SECTION E. Source Group Restrictions.**

(8) Schedule for conducting initial and periodic performance evaluations of your continuous monitoring systems.

(b) Not applicable.

(c) You must conduct an initial performance evaluation of each continuous monitoring system and bag leak detection system, as applicable, in accordance with your monitoring plan and to § 60.13(c). For the purpose of this subpart, the provisions of § 60.13(c) also apply to the bag leak detection system. You must conduct the initial performance evaluation of each continuous monitoring system within 60 days of installation of the monitoring system

(d) You must submit a monitoring plan specifying the ash handling system operating procedures that you will follow to ensure that you meet the fugitive emissions limit specified in Table 2 or 3 to this subpart.

(e) You may submit an application to the Administrator for approval of alternate monitoring requirements to demonstrate compliance with the standards of this subpart, subject to the provisions of paragraphs (e)(1) through (e)(6) of this section.

(1) The Administrator will not approve averaging periods other than those specified in this section, unless you document, using data or information, that the longer averaging period will ensure that emissions do not exceed levels achieved over the duration of three performance test runs.

(2) If the application to use an alternate monitoring requirement is approved, you must continue to use the original monitoring requirement until approval is received to use another monitoring requirement.

(3) You must submit the application for approval of alternate monitoring requirements no later than the notification of performance test. The application must contain the information specified in paragraphs (e)(3)(i) through (e)(3)(iii) of this section:

(i) Data or information justifying the request, such as the technical or economic infeasibility, or the impracticality of using the required approach.

(ii) A description of the proposed alternative monitoring requirement, including the operating parameter to be monitored, the monitoring approach and technique, the averaging period for the limit, and how the limit is to be calculated.

(iii) Data or information documenting that the alternative monitoring requirement would provide equivalent or better assurance of compliance with the relevant emission standard.

(4) The Administrator will notify you of the approval or denial of the application within 90 calendar days after receipt of the original request, or within 60 calendar days of the receipt of any supplementary information, whichever is later. The Administrator will not approve an alternate monitoring application unless it would provide equivalent or better assurance of compliance with the relevant emission standard. Before disapproving any alternate monitoring application, the Administrator will provide the following:

(i) Notice of the information and findings upon which the intended disapproval is based.

(ii) Notice of opportunity for you to present additional supporting information before final action is taken on the application. This notice will specify how much additional time is allowed for you to provide additional supporting information.

(5) You are responsible for submitting any supporting information in a timely manner to enable the Administrator to consider the application prior to the performance test. Neither submittal of an application, nor the Administrator's failure to approve or disapprove the application relieves you of the responsibility to comply with any provision of this subpart.

(6) The Administrator may decide at any time, on a case-by-case basis, that additional or alternative operating limits, or alternative approaches to establishing operating limits, are necessary to demonstrate compliance with the emission standards of this subpart.

(f) You must submit your monitoring plans required in paragraphs (a) and (b) of this section at least 60 days before your initial performance evaluation of your continuous monitoring system(s).

**SECTION E. Source Group Restrictions.**

(g) You must submit your monitoring plan for your ash handling system, as required in paragraph (d) of this section, at least 60 days before your initial compliance test date.

(h) You must update and resubmit your monitoring plan if there are any changes or potential changes in your monitoring procedures or if there is a process change, as defined in § 60.5250.

[Source: 76 FR 15404, Mar. 21, 2011]

**# 012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5210]
Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I demonstrate continuous compliance with my operating limits?**

You must continuously monitor your operating parameters as specified in paragraph (a) of this section and meet the requirements of paragraphs (b) and (c) of this section, according to the monitoring and calibration requirements in § 60.5225. You must confirm and re-establish your operating limits as specified in paragraph (d) of this section.

(a) You must continuously monitor the operating parameters specified in paragraphs (a)(1) and (a)(2) of this section using the continuous monitoring equipment and according to the procedures specified in § 60.5225. To determine compliance, you must use the data averaging period specified in Table 4 to this subpart.

(1) You must demonstrate that the SSI unit meets the operating limits established according to § 60.5190 and paragraph (d) of this section for each applicable operating parameter.

(2) Not applicable.

(b) Operation above the established maximum, below the established minimum, or outside the allowable range of the operating limits specified in paragraph (a) of this section constitutes a deviation from your operating limits established under this subpart, except during performance tests conducted to determine compliance with the emission and operating limits or to establish new operating limits. You must submit the deviation report specified in § 60.5235(d) for each instance that you did not meet one of your operating limits established under this subpart.

(c) See REPORTING REQUIREMENTS in this section of permit.

(d) You must confirm your operating limits according to paragraph (d)(1) of this section or re-establish operating limits according to paragraph (d)(2) of this section. Your operating limits must be established so as to assure ongoing compliance with the emission limits. These requirements also apply to your operating requirements in your fugitive emissions monitoring plan specified in § 60.5170(d).

(1) Your operating limits must be based on operating data recorded during any performance test required in § 60.5205(a) or any performance evaluation required in § 60.5205(b)(4).

(2) You may conduct a repeat performance test at any time to establish new values for the operating limits to apply from that point forward.

[References to §60.5175 are omitted from the paragraph of this condition since it is not applicable to Erie WWTP.]

[Source: 76 FR 15404, Mar. 21, 2011]

**# 013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5220]
Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What are the performance testing, monitoring, and calibration requirements for compliance with the emission limits and standards?**

You must meet, as applicable, the performance testing requirements specified in paragraph (a) of this section, the monitoring requirements specified in paragraph (b) of this section, the air pollution control device inspections requirements specified in paragraph (c) of this section, and the bypass stack provisions specified in paragraph (d) of this section.

(a) See TESTING REQUIREMENTS in this section of permit.

(b) Continuous monitor requirements. You must meet the following requirements, as applicable, when using a continuous monitoring system to demonstrate compliance with the emission limits in Table 3 to this subpart. The option to

**SECTION E. Source Group Restrictions.**

use a continuous emissions monitoring system for hydrogen chloride, dioxins/furans, cadmium, or lead takes effect on the date a final performance specification applicable to hydrogen chloride, dioxins/furans, cadmium, or lead is published in the Federal Register. If you elect to use a continuous emissions monitoring system instead of conducting annual performance testing, you must meet the requirements of paragraphs (b)(1) through (b)(6) of this section. If you elect to use a continuous automated sampling system instead of conducting annual performance testing, you must meet the requirements of paragraph (b)(7) of this section. The option to use a continuous automated sampling system for dioxins/furans takes effect on the date a final performance specification for such a continuous automated sampling system is published in the Federal Register.

(1) You must notify the Administrator 1 month before starting use of the continuous emissions monitoring system.

(2) You must notify the Administrator 1 month before stopping use of the continuous emissions monitoring system, in which case you must also conduct a performance test within prior to ceasing operation of the system.

(3) You must install, operate, calibrate, and maintain an instrument for continuously measuring and recording the emissions to the atmosphere in accordance with the following:

(i) Section 60.13 of subpart A of this part.

(ii) The following performance specifications of appendix B of this part, as applicable:

(A) For particulate matter, Performance Specification 11 of appendix B of this part.

(B) For hydrogen chloride, Performance Specification 15 of appendix B of this part.

(C) For carbon monoxide, Performance Specification 4B of appendix B of this part with spans appropriate to the applicable emission limit.

(D) [Reserved]

(E) For mercury, Performance Specification 12A of appendix B of this part.

(F) For nitrogen oxides, Performance Specification 2 of appendix B of this part.

(G) For sulfur dioxide, Performance Specification 2 of appendix B of this part.

(iii) For continuous emissions monitoring systems, the quality assurance procedures (e.g., quarterly accuracy determinations and daily calibration drift tests) of appendix F of this part specified in paragraphs (b)(3)(iii)(A) through (b)(3)(iii)(G) of this section. For each pollutant, the span value of the continuous emissions monitoring system is two times the applicable emission limit, expressed as a concentration.

(A) For particulate matter, Procedure 2 in appendix F of this part.

(B) For hydrogen chloride, Procedure 1 in appendix F of this part except that the Relative Accuracy Test Audit requirements of Procedure 1 shall be replaced with the validation requirements and criteria of sections 11.1.1 and 12.0 of Performance Specification 15 of appendix B of this part.

(C) For carbon monoxide, Procedure 1 in appendix F of this part.

(D) [Reserved]

(E) For mercury, Procedures 5 in appendix F of this part.

(F) For nitrogen oxides, Procedure 1 in appendix F of this part.

(G) For sulfur dioxide, Procedure 1 in appendix F of this part.

**SECTION E. Source Group Restrictions.**

(iv) If your monitoring system has a malfunction or out-of-control period, you must complete repairs and resume operation of your monitoring system as expeditiously as possible.

(4) During each relative accuracy test run of the continuous emissions monitoring system using the performance specifications in paragraph (b)(3)(ii) of this section, emission data for each regulated pollutant and oxygen (or carbon dioxide as established in (b)(5) of this section) must be collected concurrently (or within a 30- to 60-minute period) by both the continuous emissions monitoring systems and the test methods specified in paragraph (b)(4)(i) through (b)(4)(viii) of this section. Relative accuracy testing must be at representative operating conditions while the SSI unit is charging sewage sludge.

(i) For particulate matter, Method 5 at 40 CFR part 60, appendix A-3 or Method 26A or 29 at 40 CFR part 60, appendix A-8 shall be used.

(ii) For hydrogen chloride, Method 26 or 26A at 40 CFR part 60, appendix A-8, shall be used, as specified in Tables 1 and 2 to this subpart.

(iii) For carbon monoxide, Method 10, 10A, or 10B at 40 CFR part 60, appendix A-4, shall be used.

(iv) For dioxins/furans, Method 23 at 40 CFR part 60, appendix A-7, shall be used.

(v) For mercury, cadmium, and lead, Method 29 at 40 CFR part 60, appendix A-8, shall be used. Alternatively for mercury, either Method 30B at 40 CFR part 60, appendix A-8 or ASTM D6784-02 (Reapproved 2008) (incorporated by reference, see § 60.17), may be used.

(vi) For nitrogen oxides, Method 7 or 7E at 40 CFR part 60, appendix A-4, shall be used.

(vii) For sulfur dioxide, Method 6 or 6C at 40 CFR part 60, appendix A-4, or as an alternative ANSI/ASME PTC 19.10-1981 (incorporated by reference, see § 60.17) must be used. For sources that have actual inlet emissions less than 100 parts per million dry volume, the relative accuracy criterion for the inlet of the sulfur dioxide continuous emissions monitoring system should be no greater than 20 percent of the mean value of the method test data in terms of the units of the emission standard, or 5 parts per million dry volume absolute value of the mean difference between the method and the continuous emissions monitoring system, whichever is greater.

(viii) For oxygen (or carbon dioxide as established in (b)(5) of this section), Method 3A or 3B at 40 CFR part 60, appendix A-2, or as an alternative ANSI/ASME PTC 19.10-1981 (incorporated by reference, see § 60.17), as applicable, must be used.

(5) You may request that compliance with the emission limits be determined using carbon dioxide measurements corrected to an equivalent of 7 percent oxygen. If carbon dioxide is selected for use in diluent corrections, the relationship between oxygen and carbon dioxide levels must be established during the initial performance test according to the procedures and methods specified in paragraphs (b)(5)(i) through (b)(5)(iv) of this section. This relationship may be re-established during subsequent performance tests.

(i) The fuel factor equation in Method 3B at 40 CFR part 60, appendix A-2 must be used to determine the relationship between oxygen and carbon dioxide at a sampling location. Method 3A or 3B at 50 CFR part 60, appendix A-2, or as an alternative ANSI/ASME PTC 19.10-1981 (incorporated by reference, see § 60.17), as applicable, must be used to determine the oxygen concentration at the same location as the carbon dioxide monitor.

(ii) Samples must be taken for at least 30 minutes in each hour.

(iii) Each sample must represent a 1-hour average.

(iv) A minimum of three runs must be performed.

(6) You must operate the continuous monitoring system and collect data with the continuous monitoring system as follows:

**SECTION E. Source Group Restrictions.**

(i) You must collect data using the continuous monitoring system at all times the affected SSI unit is operating and at the intervals specified in paragraph (b)(6)(ii) of this section, except for periods of monitoring system malfunctions that occur during periods specified in § 60.5200(a)(7)(i), repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments). Any such periods that you do not collect data using the continuous monitoring system constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(ii) You must collect continuous emissions monitoring system data in accordance with § 60.13(e)(2).

(iii) Any data collected during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities must not be included in calculations used to report emissions or operating levels. Any such periods must be reported in a deviation report.

(iv) Any data collected during periods when the monitoring system is out of control as specified in § 60.4880(a)(7)(i), repairs associated with periods when the monitoring system is out of control, or required monitoring system quality assurance or control activities conducted during out-of-control periods must not be included in calculations used to report emissions or operating levels. Any such periods that do not coincide with a monitoring system malfunction as defined in § 60.5250, constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(v) You must use all the data collected during all periods except those periods specified in paragraphs (b)(6)(iii) and (b)(6)(iv) of this section in assessing the operation of the control device and associated control system.

(7) If you elect to use a continuous automated sampling system instead of conducting annual performance testing, you must:

(i) Install, calibrate, maintain, and operate a continuous automated sampling system according to the site-specific monitoring plan developed in § 60.58b(p)(1) through (p)(6), (p)(9), (p)(10), and (q).

(ii) Collect data according to § 60.58b(p)(5) and paragraph (b)(6) of this section.

(c) - (d) See WORK PRACTICE REQUIREMENTS in this section of permit.

[References in this regulation to Table 2 of this subpart are omitted from this condition since Table 2 is not applicable to Erie WWTP.]

[Source: 76 FR 15404, Mar. 21, 2011]

014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5225] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What are the monitoring and calibration requirements for compliance with my operating limits?

(a) You must install, operate, calibrate, and maintain the continuous parameter monitoring systems according to the requirements in paragraphs (a)(1) and (2) of this section.

(1) Meet the following general requirements for flow, pressure, pH, and operating temperature measurement devices:

(i) You must collect data using the continuous monitoring system at all times the affected SSI unit is operating and at the intervals specified in paragraph (a)(1)(ii) of this section, except for periods of monitoring system malfunctions that occur during periods specified defined in § 60.5200(a)(7)(i), repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments). Any such periods that you do not collect data using the continuous monitoring system constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(ii) You must collect continuous parameter monitoring system data in accordance with § 60.13(e)(2).

(iii) Any data collected during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities must not be included in calculations used to report emissions or operating levels. Any such periods must be reported in your annual deviation report.

**SECTION E. Source Group Restrictions.**

(iv) Any data collected during periods when the monitoring system is out of control as specified in § 60.5200(a)(7)(i) must not be included in calculations used to report emissions or operating levels. Any such periods that do not coincide with a monitoring system malfunction, as defined in § 60.5250, constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(v) You must use all the data collected during all periods except those periods specified in paragraphs (a)(1)(iii) and (a)(1)(iv) of this section in assessing the operation of the control device and associated control system.

(vi) Record the results of each inspection, calibration, and validation check.

(2) Operate and maintain your continuous monitoring system according to your monitoring plan required under § 60.5200. Additionally:

(i) For carrier gas flow rate monitors (for activated carbon injection), during the performance test conducted pursuant to § 60.5185, you must demonstrate that the system is maintained within ± 5 percent accuracy, according to the procedures in appendix A to part 75 of this chapter.

(ii) For carrier gas pressure drop monitors (for activated carbon injection), during the performance test conducted pursuant to § 60.5185, you must demonstrate that the system is maintained within ± 5 percent accuracy.

(b) Not applicable.

(c) You must operate and maintain the continuous parameter monitoring systems specified in paragraphs (a) and (b) of this section in continuous operation according to your monitoring plan required under § 60.5200.

(d) If your SSI unit has a bypass stack, you must install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of the bypass stack including date, time, and duration.

[Four typos in the regulation are corrected in this condition. The regulation erroneously refers to §60.4880 in Subpart LLLL of this Part instead of correctly referencing §60.5200 in paragraphs (a)(2) & (c) for the site monitoring plan. And the regulation erroneously refers to §60.4885 in Subpart LLLL of this Part instead of correctly referencing §60.5185 in paragraphs (a)(2)(i) & (ii).]
[Source: 76 FR 15404, Mar. 21, 2011]

015 [40 CFR Part 60 Standards of Performance for New Stationary Sources §Table 4 to Subpart MMMM of Part 60] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units Model Rule—Operating Parameters for Existing Sewage Sludge Incineration Units a

[Refer to regulation for 40 CFR Part 60 Subpart MMMM Table 4 -- Operating Parameters for Existing Sewage Sludge Incineration Units. A copy is available at the following web address.

<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-60/subpart-MMMM/appendix-Table%204%20to%20Subpart%20MMMM%20of%20Part%2060>]

IV. RECORDKEEPING REQUIREMENTS.

016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5160] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units What site-specific documentation is required and how often must it be reviewed by qualified operators and plant personnel?

(a) You must maintain at the facility the documentation of the operator training procedures specified under § 60.5230(c)(1) and make the documentation readily accessible to all SSI unit operators.

(b) You must establish a program for reviewing the information listed in § 60.5230(c)(1) with each qualified incinerator operator and other plant personnel who may operate the unit according to the provisions of § 60.5155(a), according to the following schedule:

(1) The initial review of the information listed in § 60.5230(c)(1) must be conducted by November 20, 2011, or prior to an employee's assumption of responsibilities for operation of the SSI unit, whichever date is later.

**SECTION E. Source Group Restrictions.**

(2) Subsequent annual reviews of the information listed in § 60.5230(c)(1) must be conducted no later than 12 months following the previous review.

[Source: 76 FR 15404, Mar. 21, 2011]

017 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5230] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What records must I keep?

You must maintain the items (as applicable) specified in paragraphs (a) through (n) of this section for a period of at least 5 years. All records must be available on site in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

(a) Date. Calendar date of each record.

(b) Increments of progress. Copies of the final control plan and any additional notifications, reported under § 60.5235.

(c) Operator Training. Documentation of the operator training procedures and records specified in paragraphs (c)(1) through (c)(4) of this section. You must make available and readily accessible at the facility at all times for all SSI unit operators the documentation specified in paragraph (c)(1) of this section.

(1) Documentation of the following operator training procedures and information:

(i) Summary of the applicable standards under this subpart.

(ii) Procedures for receiving, handling, and feeding sewage sludge.

(iii) Incinerator startup, shutdown, and malfunction preventative and corrective procedures.

(iv) Procedures for maintaining proper combustion air supply levels.

(v) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this subpart.

(vi) Monitoring procedures for demonstrating compliance with the incinerator operating limits.

(vii) Reporting and recordkeeping procedures.

(viii) Procedures for handling ash.

(ix) A list of the materials burned during the performance test, if in addition to sewage sludge.

(x) For each qualified operator and other plant personnel who may operate the unit according to the provisions of § 60.5155(a), the phone and/or pager number at which they can be reached during operating hours.

(2) Records showing the names of SSI unit operators and other plant personnel who may operate the unit according to the provisions of § 60.5155(a), as follows:

(i) Records showing the names of SSI unit operators and other plant personnel who have completed review of the information in paragraph (c)(1) of this section as required by § 60.5160(b), including the date of the initial review and all subsequent annual reviews.

(ii) Records showing the names of the SSI operators who have completed the operator training requirements under § 60.5130, met the criteria for qualification under § 60.5140, and maintained or renewed their qualification under § 60.5145 or § 60.5150. Records must include documentation of training, including the dates of their initial qualification and all subsequent renewals of such qualifications.

(3) Records showing the periods when no qualified operators were accessible for more than 8 hours, but less than 2

**SECTION E. Source Group Restrictions.**

weeks, as required in § 60.5155(a).

(4) Records showing the periods when no qualified operators were accessible for 2 weeks or more along with copies of reports submitted as required in § 60.5155(b).

(d) Air pollution control device inspections. Records of the results of initial and annual air pollution control device inspections conducted as specified in §§ 60.5195 and 60.5220(c), including any required maintenance and any repairs not completed within 10 days of an inspection or the timeframe established by the Administrator.

(e) Performance test reports.

(1) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and standards and/or to establish operating limits, as applicable.

(2) Retain a copy of the complete performance test report, including calculations.

(3) Keep a record of the hourly dry sludge feed rate measured during performance test runs as specified in § 60.5220(a)(2)(i).

(4) Keep any necessary records to demonstrate that the performance test was conducted under conditions representative of normal operations, including a record of the moisture content measured as required in § 60.5220(a)(2)(ii) for each grab sample taken of the sewage sludge burned during the performance test.

(f) Continuous monitoring data. Records of the following data, as applicable:

(1) For continuous emissions monitoring systems, all 1-hour average concentrations of particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans total mass basis, mercury, nitrogen oxides, sulfur dioxide, cadmium, and lead emissions.

(2) For continuous automated sampling systems, all average concentrations measured for mercury and dioxins/furans total mass basis at the frequencies specified in your monitoring plan.

(3) For continuous parameter monitoring systems:

(i) All 1-hour average values recorded for the following operating parameters, as applicable:

(A) Combustion chamber operating temperature (or afterburner temperature).

(B) If a wet scrubber is used to comply with the rule, pressure drop across each wet scrubber system and liquid flow rate to each wet scrubber used to comply with the emission limit in Table 3 to this subpart for particulate matter, cadmium, or lead, and scrubber liquid flow rate and scrubber liquid pH for each wet scrubber used to comply with an emission limit in Table 3 to this subpart for sulfur dioxide or hydrogen chloride.

(C) If an electrostatic precipitator is used to comply with the rule, secondary voltage of the electrostatic precipitator collection plates and secondary amperage of the electrostatic precipitator collection plates, and effluent water flow rate at the outlet of the wet electrostatic precipitator.

[NOTE: On Nov. 2, 2015, EPA approved the monitoring of the WESP inlet wash/flush water flow rate as an alternative to monitoring the effluent flow rate at the outlet of the WESP. This approval is contingent upon the stack test adequately reflecting the operations described in the April 20, 2015, request to the EPA and subsequent correspondence. A copy of the approval is on file in PA DEP NWRO file AQ/Facilities/CASE/25-000-00179.]

(D) [Not applicable.]

(ii) All daily average values recorded for the feed rate and moisture content of the sewage sludge fed to the sewage sludge incinerator, monitored and calculated as specified in § 60.5170(f).

**SECTION E. Source Group Restrictions.**

(iii) Not applicable.

(iv) For other control devices for which you must establish operating limits under § 60.5175, you must maintain data collected for all operating parameters used to determine compliance with the operating limits, at the frequencies specified in your monitoring plan.

(g) Other records for continuous monitoring systems. You must keep the following records, as applicable:

(1) Keep records of any notifications to the Administrator in § 60.5235(g)(1) of starting or stopping use of a continuous monitoring system for determining compliance with any emissions limit.

(2) Keep records of any requests under § 60.5220(b)(5) that compliance with the emission limits be determined using carbon dioxide measurements corrected to an equivalent of 7 percent oxygen.

(3) Not applicable.

(h) Deviation Reports. Records of any deviation reports submitted under § 60.5235(e) and (f).

(i) Equipment specifications and operation and maintenance requirements. Equipment specifications and related operation and maintenance requirements received from vendors for the incinerator, emission controls, and monitoring equipment.

(j) Inspections, calibrations, and validation checks of monitoring devices. Records of inspections, calibration, and validation checks of any monitoring devices as required under §§ 60.5220 and 60.5225.

(k) Monitoring plan and performance evaluations for continuous monitoring systems. Records of the monitoring plans required under § 60.5200, and records of performance evaluations required under § 60.5205(b)(5).

(l) Less frequent testing. If, consistent with 60.5205(a)(3), you elect to conduct performance tests less frequently than annually, you must keep annual records that document that your emissions in the two previous consecutive years were at or below 75 percent of the applicable emission limit in Table 3 to this subpart, and document that there were no changes in source operations or air pollution control equipment that would cause emissions of the relevant pollutant to increase within the past 2 years.

(m) Use of bypass stack. Records indicating use of the bypass stack, including dates, times, and durations as required under § 60.5225(d).

(n) If a malfunction occurs, you must keep a record of the information submitted in your annual report in § 60.5235(c)(16).

[References in this regulation to Table 2 of this subpart are omitted from this condition since Table 2 is not applicable to Erie WWTP. And a typo in paragraph (l) referring to Table 1 is corrected in this condition to cite the emission limits of Table 3. The typo in paragraph (g)(1) is corrected to cite 60.5235(g)(1) instead of 60.4915(h)(1).]

[Source: 76 FR 15404, Mar. 21, 2011]

V. REPORTING REQUIREMENTS.

018 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5095] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What must I include in the notifications of achievement of increments of progress?

Your notification of achievement of increments of progress must include the three items specified in paragraphs (a) through (c) of this section.

(a) Notification that the increment of progress has been achieved.

(b) Any items required to be submitted with each increment of progress.

(c) Signature of the owner or operator of the SSI unit.

**SECTION E. Source Group Restrictions.**

[Source: 76 FR 15404, Mar. 21, 2011]

019 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5100] Subpart M — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
When must I submit the notifications of achievement of increments of progress?

Notifications for achieving increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

[Source: 76 FR 15404, Mar. 21, 2011]

[There are 2 Increments of Progress:

Increment 1 is Submittal of a Final Control Plan; and

Increment 2 is the achievement of Final Compliance. The Final Compliance Date is March 21, 2016; the Notification of Final Compliance is due March 31, 2016.]

020 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5105] Subpart M — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the date for that increment of progress in Table 1 to this subpart. You must inform the Administrator that you did not meet the increment, and you must continue to submit reports each subsequent calendar month until the increment of progress is met.

[Source: 76 FR 15404, Mar. 21, 2011]

[There are 2 increments of Progress:

Increment of Progress 1 is Submittal of a Final Control Plan; and

Increment of Progress 2 is Final Compliance for which the Final Compliance Date is March 21, 2016.]

021 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5110] Subpart M — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (a) and (b) of this section.

(a) Submit the final control plan that includes the four items described in paragraphs (a)(1) through (a)(4) of this section.

(1) A description of the devices for air pollution control and process changes that you will use to comply with the emission limits and standards and other requirements of this subpart.

(2) The type(s) of waste to be burned, if waste other than sewage sludge is burned in the unit.

(3) The maximum design sewage sludge burning capacity.

(4) If applicable, the petition for site-specific operating limits under § 60.5175.

(b) Maintain an onsite copy of the final control plan.

[Source: 76 FR 15404, Mar. 21, 2011]

022 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5155] Subpart M — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What if all the qualified operators are temporarily not accessible?

If a qualified operator is not at the facility and cannot be at the facility within 1 hour, you must meet the criteria specified in either paragraph (a) or (b) of this section, depending on the length of time that a qualified operator is not accessible.

(a) When a qualified operator is not accessible for more than 8 hours, the SSI unit may be operated for less than 2 weeks

**SECTION E. Source Group Restrictions.**

by other plant personnel who are familiar with the operation of the SSI unit and who have completed a review of the information specified in § 60.5160 within the past 12 months. However, you must record the period when a qualified operator was not accessible and include this deviation in the annual report as specified under § 60.5235(d).

(b) When a qualified operator is not accessible for 2 weeks or more, you must take the two actions that are described in paragraphs (b)(1) and (b)(2) of this section.

(1) Notify the Administrator of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(2) Submit a status report to the Administrator every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible, and requesting approval from the Administrator to continue operation of the SSI unit. You must submit the first status report 4 weeks after you notify the Administrator of the deviation under paragraph (b)(1) of this section.

(i) If the Administrator notifies you that your request to continue operation of the SSI unit is disapproved, the SSI unit may continue operation for 30 days, and then must cease operation.

(ii) Operation of the unit may resume if a qualified operator is accessible as required under § 60.5130(a). You must notify the Administrator within 5 days of having resumed operations and of having a qualified operator accessible.

[Source: 76 FR 15404, Mar. 21, 2011]

023 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5210] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I demonstrate continuous compliance with my operating limits?

(a) - (b) See MONITORING REQUIREMENTS in this section of permit.

(c) You must submit the annual compliance report specified in § 60.5235(c) to demonstrate continuous compliance.

(d) See MONITORING REQUIREMENTS in this section of permit.

[Source: 76 FR 15404, Mar. 21, 2011]

024 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5235] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What reports must I submit?

You must submit the reports specified in paragraphs (a) through (i) of this section. See Table 6 to this subpart for a summary of these reports.

(a) Increments of progress report. If you plan to achieve compliance more than 1 year following the effective date of state plan approval, you must submit the following reports, as applicable:

(1) A final control plan as specified in §§ 60.5085(a) and 60.5110.

(2) You must submit your notification of achievement of increments of progress no later than 10 business days after the compliance date for the increment as specified in §§ 60.5095 and 60.5100.

(3) If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the date for that increment, as specified in § 60.5105.

(4) If you plan to close your SSI unit rather than comply with the state plan, submit a closure notification as specified in § 60.5125.

(b) Initial compliance report. You must submit the following information no later than 60 days following the initial performance test.

**SECTION E. Source Group Restrictions.**

- (1) Company name, physical address, and mailing 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.
 - (4) The complete test report for the initial performance test results obtained by using the test methods specified in Table 3 to this subpart.
 - (5) If an initial performance evaluation of a continuous monitoring system was conducted, the results of that initial performance evaluation.
 - (6) The values for the site-specific operating limits established pursuant to §§ 60.5170 and 60.5175 and the calculations and methods, as applicable, used to establish each operating limit.
 - (7) Not applicable.
 - (8) The results of the initial air pollution control device inspection required in § 60.5195, including a description of repairs.
 - (9) The site-specific monitoring plan required under § 60.5200, at least 60 days before your initial performance evaluation of your continuous monitoring system.
 - (10) The site-specific monitoring plan for your ash handling system required under § 60.5200, at least 60 days before your initial performance test to demonstrate compliance with your fugitive ash emission limit.
- (c) Annual compliance report. You must submit an annual compliance report that includes the items listed in paragraphs (c)(1) through (c)(16) of this section for the reporting period specified in paragraph (c)(3) of this section. You must submit your first annual compliance report no later than 12 months following the submission of the initial compliance report in paragraph (b) of this section. You must submit subsequent annual compliance reports no more than 12 months following the previous annual compliance report. (You may be required to submit these reports (or additional compliance information) more frequently by the title V operating permit required in § 60.5240.)
- (1) Company name, physical address, and mailing 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 a performance test was conducted during the reporting period, the results of that performance test.
 - (i) If operating limits were established during the performance test, include the value for each operating limit and, as applicable, the method used to establish each operating limit, including calculations.
 - (ii) Not applicable.
 - (5) For each pollutant and operating parameter recorded using a continuous monitoring system, the highest average value and lowest average value recorded during the reporting period, as follows:
 - (i) For continuous emission monitoring systems and continuous automated sampling systems, report the highest and lowest 24-hour average emission value.
 - (ii) For continuous parameter monitoring systems, report the following values:
 - (A) For all operating parameters except scrubber liquid pH, the highest and lowest 12-hour average values.

**SECTION E. Source Group Restrictions.**

(B) For scrubber liquid pH, the highest and lowest 3-hour average values.

(6) If there are no deviations during the reporting period from any emission limit, emission standard, or operating limit that applies to you, a statement that there were no deviations from the emission limits, emission standard, or operating limits.

(7) Not applicable.

(8) If a performance evaluation of a continuous monitoring system was conducted, the results of that performance evaluation. If new operating limits were established during the performance evaluation, include your calculations for establishing those operating limits.

(9) If you elect to conduct performance tests less frequently as allowed in § 60.5205(a)(3) and did not conduct a performance test during the reporting period, you must include the dates of the last two performance tests, a comparison of the emission level you achieved in the last two performance tests to the 75 percent emission limit threshold specified in § 60.5205(a)(3), and a statement as to whether there have been any process changes and whether the process change resulted in an increase in emissions.

(10) Documentation of periods when all qualified sewage sludge incineration unit operators were unavailable for more than 8 hours, but less than 2 weeks.

(11) Results of annual air pollution control device inspections recorded under § 60.5230(d) for the reporting period, including a description of repairs.

(12) If there were no periods during the reporting period when your continuous monitoring systems had a malfunction, a statement that there were no periods during which your continuous monitoring systems had a malfunction.

(13) If there were no periods during the reporting period when a continuous monitoring system was out of control, a statement that there were no periods during which your continuous monitoring systems were out of control.

(14) If there were no operator training deviations, a statement that there were no such deviations during the reporting period.

(15) If you did not make revisions to your site-specific monitoring plan during the reporting period, a statement that you did not make any revisions to your site-specific monitoring plan during the reporting period. If you made revisions to your site-specific monitoring plan during the reporting period, a copy of the revised plan.

(16) 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 that occurred during the reporting period and that 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 § 60.11(d), including actions taken to correct a malfunction.

(d) Deviation reports.

(1) You must submit a deviation report if:

(i) Any recorded operating parameter level, based on the averaging time specified in Table 4 to this subpart, is above the maximum operating limit or below the minimum operating limit established under this subpart.

(ii) Not applicable.

(iii) Any recorded 24-hour block average emissions level is above the emission limit, if a continuous monitoring system is used to comply with an emission limit.

(iv) There are visible emissions of combustion ash from an ash conveying system for more than 5 percent of the hourly observation period.

**SECTION E. Source Group Restrictions.**

(v) A performance test was conducted that deviated from any emission limit in Table 2 or 3 to this subpart.

(vi) A continuous monitoring system was out of control.

(vii) You had a malfunction (e.g., continuous monitoring system malfunction) that caused or may have caused any applicable emission limit to be exceeded.

(2) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

(3) For each deviation where you are using a continuous monitoring system to comply with an associated emission limit or operating limit, report the items described in paragraphs (d)(3)(i) through (d)(3)(viii) of this section.

(i) Company name, physical address, and mailing address.

(ii) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(iii) The calendar dates and times your unit deviated from the emission limits, emission standards, or operating limits requirements.

(iv) The averaged and recorded data for those dates.

(v) Duration and cause of each deviation from the following:

(A) Emission limits, emission standards, operating limits, and your corrective actions.

(B) Bypass events and your corrective actions.

(vi) Dates, times, and causes for monitor downtime incidents.

(vii) A copy of the operating parameter monitoring data during each deviation and any test report that documents the emission levels.

(viii) If there were periods during which the continuous monitoring system malfunctioned or was out of control, you must include the following information for each deviation from an emission limit or operating limit:

(A) The date and time that each malfunction started and stopped.

(B) The date, time, and duration that each continuous monitoring system was inoperative, except for zero (low-level) and high-level checks.

(C) The date, time, and duration that each continuous monitoring system was out of control, including start and end dates and hours and descriptions of corrective actions taken.

(D) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction, during a period when the system was out of control, or during another period.

(E) 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.

(F) 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.

(G) A summary of the total duration of continuous monitoring system downtime during the reporting period, and the total duration of continuous monitoring system downtime as a percent of the total operating time of the SSI unit at

**SECTION E. Source Group Restrictions.**

which the continuous monitoring system downtime occurred during that reporting period.

(H) An identification of each parameter and pollutant that was monitored at the SSI unit.

(I) A brief description of the SSI unit.

(J) A brief description of the continuous monitoring system.

(K) The date of the latest continuous monitoring system certification or audit.

(L) A description of any changes in continuous monitoring system, processes, or controls since the last reporting period.

(4) For each deviation where you are not using a continuous monitoring system to comply with the associated emission limit or operating limit, report the following items:

(i) Company name, physical address, and mailing address.

(ii) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(iii) The total operating time of each affected source during the reporting period.

(iv) The calendar dates and times your unit deviated from the emission limits, emission standards, or operating limits requirements.

(v) The averaged and recorded data for those dates.

(vi) Duration and cause of each deviation from the following:

(A) Emission limits, emission standards, operating limits, and your corrective actions.

(B) Bypass events and your corrective actions.

(vii) A copy of any performance test report that showed a deviation from the emission limits or standards.

(viii) A brief description of any malfunction reported in paragraph (d)(1)(vii) of this section, including a description of actions taken during the malfunction to minimize emissions in accordance with § 60.11(d) and to correct the malfunction.

(e) Qualified operator deviation.

(1) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (e)(1)(i) and (e)(1)(ii) of this section.

(i) Submit a notification of the deviation within 10 days that includes the three items in paragraphs (e)(1)(i)(A) through (e)(1)(i)(C) of this section.

(A) A statement of what caused the deviation.

(B) A description of actions taken to ensure that a qualified operator is accessible.

(C) The date when you anticipate that a qualified operator will be available.

(ii) Submit a status report to the Administrator every 4 weeks that includes the three items in paragraphs (e)(1)(ii)(A) through (e)(1)(ii)(C) of this section.

(A) A description of actions taken to ensure that a qualified operator is accessible.

**SECTION E. Source Group Restrictions.**

(B) The date when you anticipate that a qualified operator will be accessible.

(C) Request for approval from the Administrator to continue operation of the SSI unit.

(2) If your unit was shut down by the Administrator, under the provisions of § 60.5155(b)(2)(i), due to a failure to provide an accessible qualified operator, you must notify the Administrator within five days of meeting § 60.5155(b)(2)(ii) that you are resuming operation.

(f) Notification of a force majeure. If a force majeure is about to occur, occurs, or has occurred for which you intend to assert a claim of force majeure:

(1) You must notify the Administrator, in writing as soon as practicable following the date you first knew, or through due diligence, should have known that the event may cause or caused a delay in conducting a performance test beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification must occur as soon as practicable.

(2) You must provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in conducting the performance test beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which you propose to conduct the performance test.

(g) Other notifications and reports required. You must submit other notifications as provided by § 60.7 and as follows:

(1) You must notify the Administrator 1 month before starting or stopping use of a continuous monitoring system for determining compliance with any emission limit.

(2) You must notify the Administrator at least 30 days prior to any performance test conducted to comply with the provisions of this subpart, to afford the Administrator the opportunity to have an observer present.

(3) As specified in § 60.5220(a)(8), you must notify the Administrator at least 7 days prior to the date of a rescheduled performance test for which notification was previously made in paragraph (g)(2) of this section.

(h) Report submission form.

(1) Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

(2) As of January 1, 2012 and within 60 days after the date of completing each performance test, as defined in § 63.2, conducted to demonstrate compliance with this subpart, you must submit relative accuracy test audit (i.e., reference method) data and performance test (i.e., compliance test) data, except opacity data, electronically to EPA's Central Data Exchange (CDX) by using the Electronic Reporting Tool (ERT) (see http://www.epa.gov/ttn/chief/ert/ert_tool.html/) or other compatible electronic spreadsheet. Only data collected using test methods compatible with ERT are subject to this requirement to be submitted electronically into EPA's WebFIRE database.

(i) Changing report dates. If the Administrator agrees, you may change the semiannual or annual reporting dates. See § 60.19(c) for procedures to seek approval to change your reporting date.

[References in this regulation to Table 2 of this subpart are omitted from this condition since Table 2 is not applicable to Erie WWTP.]

[Source: 76 FR 15404, Mar. 21, 2011]

025 [40 CFR Part 60 Standards of Performance for New Stationary Sources §Table 6 to Subpart M of Part 60] Subpart M — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units Model Rule—Summary of Reporting Requirements for Existing Sewage Sludge Incineration Units

[Refer to regulation for 40 CFR Part 60 Subpart M Table 6 -- Summary of Reporting Requirements for Existing Sewage Sludge Incineration Units. A copy is available at the following web address:]

**SECTION E. Source Group Restrictions.**

<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-60/subpart-MMMM/appendix-Table%206%20to%20Subpart%20MMMM%20of%20Part%2060>

VI. WORK PRACTICE REQUIREMENTS.

026 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5130] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What are the operator training and qualification requirements?

(a) A SSI unit cannot be operated unless a fully trained and qualified SSI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified SSI unit operator may operate the SSI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified SSI unit operators are temporarily not accessible, you must follow the procedures in § 60.5155.

(b) Operator training and qualification must be obtained through a state-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (c)(3) of this section.

(1) Training on the 10 subjects listed in paragraphs (c)(1)(i) through (c)(1)(x) of this section.

(i) Environmental concerns, including types of emissions.

(ii) Basic combustion principles, including products of combustion.

(iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, sewage sludge feeding, and shutdown procedures.

(iv) Combustion controls and monitoring.

(v) Operation of air pollution control equipment and factors affecting performance (if applicable).

(vi) Inspection and maintenance of the incinerator and air pollution control devices.

(vii) Actions to prevent malfunctions or to prevent conditions that may lead to malfunctions.

(viii) Bottom and fly ash characteristics and handling procedures.

(ix) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.

(x) Pollution prevention.

(2) An examination designed and administered by the state-approved program.

(3) Written material covering the training course topics that may serve as reference material following completion of the course.

[Source: 76 FR 15404, Mar. 21, 2011]

027 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5135] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
When must the operator training course be completed?

The operator training course must be completed by the later of the three dates specified in paragraphs (a) through (c) of this section.

(a) The final compliance date (Increment 2). [The final compliance date according to Table 1 of this subpart is March 21,

**SECTION E. Source Group Restrictions.**

2016.]

(b) Six months after your SSI unit startup.

(c) Six months after an employee assumes responsibility for operating the SSI unit or assumes responsibility for supervising the operation of the SSI unit.

[Source: 76 FR 15404, Mar. 21, 2011]

028 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5140] Subpart M—Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under § 60.5130(b).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under § 60.5130(c)(2).

[Source: 76 FR 15404, Mar. 21, 2011]

029 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5145] Subpart M—Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (a) through (e) of this section.

(a) Update of regulations.

(b) Incinerator operation, including startup and shutdown procedures, sewage sludge feeding, and ash handling.

(c) Inspection and maintenance.

(d) Prevention of malfunctions or conditions that may lead to malfunction.

(e) Discussion of operating problems encountered by attendees.

[Source: 76 FR 15404, Mar. 21, 2011]

030 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5150] Subpart M—Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What if all the qualified operators are temporarily not accessible?

You must renew a lapsed operator qualification before you begin operation of a SSI unit by one of the two methods specified in paragraphs (a) and (b) of this section.

(a) For a lapse of less than 3 years, you must complete a standard annual refresher course described in § 60.5145.

(b) For a lapse of 3 years or more, you must repeat the initial qualification requirements in § 60.5140(a).

[Source: 76 FR 15404, Mar. 21, 2011]

031 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5195] Subpart M—Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
By what date must I conduct the initial air pollution control device inspection and make any necessary repairs?

(a) You must conduct an air pollution control device inspection according to § 60.5220(c) by the final compliance date under the approved state plan, Federal plan, or delegation, as applicable. [The final compliance date is March 21, 2016.] For air pollution control devices installed after the final compliance date, you must conduct the air pollution control device inspection within 60 days after installation of the control device.

(b) Within 10 operating days following the air pollution control device inspection under paragraph (a) of this section, all

**SECTION E. Source Group Restrictions.**

necessary repairs must be completed unless you obtain written approval from the Administrator establishing a date whereby all necessary repairs of the SSI unit must be completed.

[Source: 76 FR 15404, Mar. 21, 2011]

032 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5215] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
By what date must I conduct annual air pollution control device inspections and make any necessary repairs?

- (a) You must conduct an annual inspection of each air pollution control device used to comply with the emission limits, according to § 60.5220(c), no later than 12 months following the previous annual air pollution control device inspection.
- (b) Within 10 operating days following an air pollution control device inspection, all necessary repairs must be completed unless you obtain written approval from the Administrator establishing a date whereby all necessary repairs of the affected SSI unit must be completed.

[Source: 76 FR 15404, Mar. 21, 2011]

033 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5220] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What are the performance testing, monitoring, and calibration requirements for compliance with the emission limits and standards?

You must meet, as applicable, the performance testing requirements specified in paragraph (a) of this section, the monitoring requirements specified in paragraph (b) of this section, the air pollution control device inspections requirements specified in paragraph (c) of this section, and the bypass stack provisions specified in paragraph (d) of this section.

- (a) See TESTING REQUIREMENTS in this section of permit.
- (b) See MONITORING REQUIREMENTS in this section of permit.
- (c) Air pollution control device inspections. You must conduct air pollution control device inspections that include, at a minimum, the following:
- (1) Inspect air pollution control device(s) for proper operation.
 - (2) Generally observe that the equipment is maintained in good operating condition.
 - (3) Develop a site-specific monitoring plan according to the requirements in § 60.5200. This requirement also applies to you if you petition the EPA Administrator for alternative monitoring parameters under § 60.13(i).
- (d) Bypass stack. Use of the bypass stack at any time that sewage sludge is being charged to the SSI unit is an emissions standards deviation for all pollutants listed in Table 3 to this subpart. The use of the bypass stack during a performance test invalidates the performance test.

[References in this regulation to Table 2 of this subpart are omitted from this condition since Table 2 is not applicable to Erie WWTP.]

[Source: 76 FR 15404, Mar. 21, 2011]

VII. ADDITIONAL REQUIREMENTS.

034 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5085] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What are my requirements for meeting increments of progress and achieving final compliance?

If you plan to achieve compliance more than 1 year following the effective date of state plan approval, you must meet the two increments of progress specified in paragraphs (a) and (b) of this section.

- (a) Submit a final control plan.
- (b) Achieve final compliance.

**SECTION E. Source Group Restrictions.**

[Source: 76 FR 15404, Mar. 21, 2011]

035 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5090] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
When must I complete each increment of progress?

Table 1 to this subpart specifies compliance dates for each increment of progress.

[Source: 76 FR 15404, Mar. 21, 2011]

036 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5115] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected SSI unit is brought online, all necessary process changes and air pollution control devices would operate as designed.

[Source: 76 FR 15404, Mar. 21, 2011]

037 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5120] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What must I do if I close my SSI unit and then restart it?

(a) If you close your SSI unit but will restart it prior to the final compliance date in your state plan, you must meet the increments of progress specified in § 60.5085.

(b) If you close your SSI unit but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limits, emission standards, and operating limits on the date your unit restarts operation.

[Source: 76 FR 15404, Mar. 21, 2011]

038 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5125] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What must I do if I plan to permanently close my SSI unit and not restart it?

If you plan to close your SSI unit rather than comply with the state plan, submit a closure notification, including the date of closure, to the Administrator by the date your final control plan is due.

[Source: 76 FR 15404, Mar. 21, 2011]

039 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 60.5181] Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
How do I establish an affirmative defense for exceedance of an emission limit or standard during malfunction?

In response to an action to enforce the numerical emission standards set forth in paragraph § 60.5165, you may assert an affirmative defense to a claim for civil penalties for exceedances of emission limits that are caused by malfunction, as defined in § 60.2. Appropriate penalties may be assessed however, if you fail to meet your burden of proving all of the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief.

(a) To establish the affirmative defense in any action to enforce such a limit, you must timely meet the notification requirements in paragraph (b) of this section, and must prove by a preponderance of evidence that the conditions in paragraphs (a)(1) through (a)(9) of this section are met.

(1) The excess emissions:

- (i) Were caused by a sudden, infrequent, and unavoidable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner, and
- (ii) Could not have been prevented through careful planning, proper design or better operation and maintenance practices, and
- (iii) Did not stem from any activity or event that could have been foreseen and avoided, or planned for, and
- (iv) Were not part of a recurring pattern indicative of inadequate design, operation, or maintenance, and

**SECTION E. Source Group Restrictions.**

(2) Repairs were made as expeditiously as possible when the applicable emission limits were being exceeded. Off-shift and overtime labor were used, to the extent practicable to make these repairs, and

(3) The frequency, amount and duration of the excess emissions (including any bypass) were minimized to the maximum extent practicable during periods of such emissions, and

(4) If the excess emissions resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, and

(5) All possible steps were taken to minimize the impact of the excess emissions on ambient air quality, the environment and human health, and

(6) All emissions monitoring and control systems were kept in operation if at all possible consistent with safety and good air pollution control practices, and

(7) All of the actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs, and

(8) At all times, the affected facility was operated in a manner consistent with good practices for minimizing emissions, and

(9) A written root cause analysis has been prepared the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the excess emissions resulting from the malfunction event at issue. The analysis shall also specify, using best monitoring methods and engineering judgment, the amount of excess emissions that were the result of the malfunction.

(b) The owner or operator of the SSI unit experiencing an exceedance of its emission limit(s) during a malfunction, shall notify the Administrator by telephone or facsimile (fax) transmission as soon as possible, but no later than 2 business days after the initial occurrence of the malfunction, if it wishes to avail itself of an affirmative defense to civil penalties for that malfunction. The owner or operator seeking to assert an affirmative defense shall also submit a written report to the Administrator within 45 days of the initial occurrence of the exceedance of the standard in § 60.5165 to demonstrate, with all necessary supporting documentation, that it has met the requirements set forth in paragraph (a) of this section. The owner or operator may seek an extension of this deadline for up to 30 additional days by submitting a written request to the Administrator before the expiration of the 45 day period. Until a request for an extension has been approved by the Administrator, the owner or operator is subject to the requirement to submit such report within 45 days of the initial occurrence of the exceedance.

[Source: 76 FR 15404, Mar. 21, 2011]

**# 040 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Subpart 60.5250]
Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
What definitions must I know?**

Process change means a significant permit revision, but only with respect to those pollutant-specific emission units for which the proposed permit revision is applicable, including but not limited to:

(1) A change in the process employed at the wastewater treatment facility associated with the affected SSI unit (e.g., the addition of tertiary treatment at the facility, which changes the method used for disposing of process solids and processing of the sludge prior to incineration).

(2) A change in the air pollution control devices used to comply with the emission limits for the affected SSI unit (e.g., change in the sorbent used for activated carbon injection).

[See regulation 40 CFR §60.5250 for remaining definitions applicable to this subpart.]

[Source: 76 FR 15404, Mar. 21, 2011]

**SECTION E. Source Group Restrictions.****# 041 [40 CFR Part 60 Standards of Performance for New Stationary Sources §Table 1 to Subpart MMMM of Part 60]
Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
Model Rule—Increments of Progress and Compliance Schedules for Existing Sewage Sludge Incineration Units**

Comply with these increments of progress

By these dates (see Note a)

Increment 1—Submit final control plan:

(Dates to be specified in state plan)

Increment 2—Final compliance:

(Dates to be specified in state plan) (See Note b)

Note a: Site-specific schedules can be used at the discretion of the state.

Note b: The date can be no later than 3 years after the effective date of state plan approval or March 21, 2016 for SSI units that commenced construction on or before October 14, 2010.

[Source: 76 FR 15404, Mar. 21, 2011]

[Note that Pennsylvania has no approved state plan as of 1/30/2013; therefore the Federal Plan applies. In the absence of a State Plan, there is no published date for Increment 1, the submittal date for the Final Control Plan. Reference document for "Status of State Plans for Sewage Sludge Incineration Emission Guidelines" at: <http://www.epa.gov/ttn/atw/129/ssi/ssipg.html#IMP>]

**# 042 [40 CFR Part 60 Standards of Performance for New Stationary Sources §Table 5 to Subpart MMMM of Part 60]
Subpart MMMM — Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units
Model Rule—Toxic Equivalency Factors**

[Refer to regulation for 40 CFR Part 60 Subpart MMMM Table 5 --Toxic Equivalency Factors. A copy is available at the following web address.]

<https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-60/subpart-MMMM/appendix-Table%205%20to%20Subpart%20MMMM%20of%20Part%2060>

***** Permit Shield in Effect. *****

**SECTION E. Source Group Restrictions.**

Group Name: 4 - FEDERAL PLAN PART 62 SUBPART LLL

Group Description: 40 CFR Part 62 Subpart LLL -- Federal Requirements for Sewage Sludge Incinerator Units

Sources included in this group

ID	Name
001	SEWAGE SLUDGE INCINERATOR 1
002	SEWAGE SLUDGE INCINERATOR 2
109	ASH LOADOUT

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15875]****Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What is my final compliance date?**

Except as provided in paragraph (b) of this section, you must submit a final control plan and achieve final compliance specified by the date in paragraph (a) of this section:

(a) March 21, 2016, as specified in Table 1 of this subpart.

(b) [Not applicable]

[Source: 81 FR 26063, Apr. 29, 2016]

002 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15955]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What emission limits and standards must I meet and by when?**

[Refer to regulation for Table 3 of 40 CFR Part 62 Subpart LLL. Table 2 is not applicable to the SSI units at this facility. A web address for the eCFR of Table 3 is printed at the end of this condition.]

You must meet the emission limits and standards specified in Table 2 or 3 to this subpart by the final compliance date specified in §62.15875. The emission limits and standards apply at all times the unit is operating and during periods of malfunction. The emission limits and standards apply to emissions from a bypass stack or vent while sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time).

[Source: 81 FR 26063, Apr. 29, 2016]

Table 3 to 40 CFR Part 62 Subpart LLL is incorporated into this permit by reference to the regulation and is available at this web address:

https://www.ecfr.gov/cgi-bin/text-idx?SID=6dd965f9a24ed881a38d9bf1a806fb07&mc=true&node=sp40.10.62.III&rgn=div6#se40.10.62_116050

[Note: The content of Table 3 to Subpart LLL of Part 62 (as promulgated Apr. 29, 2016, in 81 FR 26063) is the same as the content of Table 3 to Subpart MMMM of Part 60 (as promulgated Mar. 21, 2011, in 76 FR 15404) and that content (consisting of Emission Limits, Averaging Methods, Sampling Methods, and Testing Methods) is printed in Source Group 2 of this Title V permit.]

003 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15970]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010**

Do the emission limits, emission standards, and operating limits apply during periods of startup, shutdown, and malfunc

**SECTION E. Source Group Restrictions.**

The emission limits and standards apply at all times and during periods of malfunction. The operating limits apply at all times that sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time). For determining compliance with the CO concentration limit using CO CEMS, the correction to 7-percent oxygen does not apply during periods of startup or shutdown. Use the measured CO concentration without correcting for oxygen concentration in averaging with other CO concentrations (corrected to 7-percent O₂) to determine the 24-hour average value.

[Source: 81 FR 26063, Apr. 29, 2016]

004 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16015]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

What are the performance testing, monitoring, and calibration requirements for compliance with the emission limits and

You must meet, as applicable, the performance testing requirements specified in paragraph (a) of this section, the monitoring requirements specified in paragraph (b) of this section, the air pollution control device inspections requirements specified in paragraph (c) of this section, and the bypass stack provisions specified in paragraph (d) of this section.

(a) [Paragraph (a) of §62.16015 is printed in this section of the permit under 'Testing Requirements'.]

(b) [Paragraph (b) of §62.16015 is printed in this section of the permit under 'Monitoring Requirements'.]

(c) [Paragraph (c) of §62.16015 is printed in this section of the permit under 'Work Practice Requirements'.]

(d) Bypass stack. Use of the bypass stack at any time that sewage sludge is being charged to the SSI unit is an emissions standards deviation for all pollutants listed in Table 2 or 3 to this subpart. The use of the bypass stack during a performance test invalidates the performance test.

(e) [Paragraph (e) of §62.16015 is printed in this section of the permit under 'Testing Requirements'.]

[Source: 81 FR 26063, Apr. 29, 2016]

II. TESTING REQUIREMENTS.

005 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15980]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

How and when do I demonstrate initial compliance with the emission limits and standards?

[Refer to regulation for Tables 1 & 3 of 40 CFR Part 62 Subpart LLL. Table 2 is not applicable to the SSI units at this facility. A web address to the eCFR for Tables 1 & 3 is at the end of this condition.]

To demonstrate initial compliance with the emission limits and standards in Table 2 or 3 to this subpart, use the procedures specified in paragraph (a) of this section. In lieu of using the procedures specified in paragraph (a) of this section, you have the option to demonstrate initial compliance using the procedures specified in paragraph (b) of this section for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium, lead and fugitive emissions from ash handling. You must meet the requirements of paragraphs (a) and (b) of this section, as applicable, and paragraphs (c) through (e) of this section, according to the performance testing, monitoring, and calibration requirements in §62.16015(a) and (b).

(a) Demonstrate initial compliance using the performance test required in §60.8 of this chapter. You must demonstrate that your SSI unit meets the emission limits and standards specified in Table 2 or 3 to this subpart for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium, lead and fugitive emissions from ash handling using the performance test. The initial performance test must be conducted using the test methods, averaging methods, and minimum sampling volumes or durations specified in Table 2 or 3 to this subpart and according to the testing, monitoring, and calibration requirements specified in §62.16015(a).

(1) Except as provided in paragraph (e) of this section, you must demonstrate that your SSI unit meets the emission

**SECTION E. Source Group Restrictions.**

limits and standards specified in Table 2 or 3 to this subpart by the final compliance date (see Table 1 to this subpart).

(2) You may use the results from a performance test conducted within the 2 previous years that was conducted under the same conditions and demonstrated compliance with the emission limits and standards in Table 2 or 3 to this subpart, provided no process changes have been made since you conducted that performance test. However, you must continue to meet the operating limits established during the most recent performance test that demonstrated compliance with the emission limits and standards in Table 2 or 3 to this subpart. The performance test must have used the test methods specified in Table 2 or 3 to this subpart.

(b) Demonstrate initial compliance using a continuous emissions monitoring system or continuous automated sampling system. The option to use a continuous emissions monitoring system for hydrogen chloride, dioxins/furans, cadmium, or lead takes effect on the date a final performance specification applicable to hydrogen chloride, dioxins/furans, cadmium or lead is published in the FEDERAL REGISTER. The option to use a continuous automated sampling system for dioxins/furans takes effect on the date a final performance specification for such a continuous automated sampling system is published in the FEDERAL REGISTER. Collect data as specified in §62.16015(b)(6) and use the following procedures:

(1) To demonstrate initial compliance with the emission limits specified in Table 2 or 3 to this subpart for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium and lead, you may substitute the use of a continuous monitoring system in lieu of conducting the initial performance test required in paragraph (a) of this section, as follows:

(i) You may substitute the use of a continuous emissions monitoring system for any pollutant specified in paragraph (b)(1) of this section in lieu of conducting the initial performance test for that pollutant in paragraph (a) of this section. For determining compliance with the carbon monoxide concentration limit using carbon monoxide CEMS, the correction to 7-percent oxygen does not apply during periods of startup or shutdown. Use the measured carbon monoxide concentration without correcting for oxygen concentration in averaging with other carbon monoxide concentrations (corrected to 7-percent oxygen) to determine the 24-hour average value.

(ii) You may substitute the use of a continuous automated sampling system for mercury or dioxins/furans in lieu of conducting the annual mercury or dioxin/furan performance test in paragraph (a) of this section.

(2) If you use a continuous emissions monitoring system to demonstrate compliance with an applicable emission limit in Table 2 or 3 to this subpart, as described in paragraph (b)(1) of this section, you must use the continuous emissions monitoring system and follow the requirements specified in §62.16015(b). You must measure emissions according to §60.13 of this chapter to calculate 1-hour arithmetic averages, corrected to 7-percent oxygen (or carbon dioxide). You must demonstrate initial compliance using a 24-hour block average of these 1-hour arithmetic average emission concentrations, calculated using Equation 19-19 in section 12.4.1 of Method 19 of 40 CFR part 60, appendix A-7.

(3) If you use a continuous automated sampling system to demonstrate compliance with an applicable emission limit in Table 2 or 3 to this subpart, as described in paragraph (b)(1) of this section, you must:

(i) Use the continuous automated sampling system specified in §60.58b(p) and (q) of this chapter, and measure and calculate average emissions corrected to 7-percent oxygen (or carbon dioxide) according to §60.58b(p) and your monitoring plan.

(A) Use the procedures specified in §60.58b(p) of this chapter to calculate 24-hour block averages to determine compliance with the mercury emission limit in Table 2 or 3 to this subpart.

(B) Use the procedures specified in §60.58b(p) of this chapter to calculate 2-week block averages to determine compliance with the dioxin/furan (total mass basis or toxic equivalency basis) emission limit in Table 2 or 3 to this subpart.

(ii) Comply with the provisions in §60.58b(q) of this chapter to develop a monitoring plan. For mercury continuous automated sampling systems, you must use Performance Specification 12B of appendix B of part 75 of this chapter and Procedure 5 of appendix F of part 60 of this chapter.

(4) Except as provided in paragraph (e) of this section, you must complete your initial performance evaluations required under your monitoring plan for any continuous emissions monitoring systems and continuous automated sampling

**SECTION E. Source Group Restrictions.**

systems by the final compliance date (see Table 1 to this subpart). Your performance evaluation must be conducted using the procedures and acceptance criteria specified in §62.15995(a)(3).

(c) To demonstrate initial compliance with the dioxins/furans toxic equivalency emission limit in Table 2 or 3 to this subpart, determine dioxins/furans toxic equivalency as follows:

(1) Measure the concentration of each dioxin/furan tetra- through octachlorinated-isomer emitted using EPA Method 23 at 40 CFR part 60, appendix A-7.

(2) Multiply the concentration of each dioxin/furan (tetra- through octa-chlorinated) isomer by its corresponding toxic equivalency factor specified in Table 5 to this subpart.

(3) Sum the products calculated in accordance with paragraph (c)(2) of this section to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

(d) Submit an initial compliance report, as specified in §62.16030(b).

(e) If you demonstrate initial compliance using the performance test specified in paragraph (a) of this section, then the provisions of this paragraph (e) apply. If a force majeure is about to occur, occurs or has occurred for which you intend to assert a claim of force majeure, you must notify the Administrator in writing as specified in §62.16030(f). You must conduct the initial performance test as soon as practicable after the force majeure occurs. The Administrator will determine whether or not to grant the extension to the initial performance test deadline and will notify you in writing of approval or disapproval of the request for an extension as soon as practicable. Until an extension of the performance test deadline has been approved by the Administrator, you remain strictly subject to the requirements of this subpart.

[Source: 81 FR 26063, Apr. 29, 2016]

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[The Final Compliance Date from Table 1 of Subpart LLL is March 21, 2016.

Table 3 to 40 CFR Part 62 Subpart LLL is incorporated into this permit by reference to the regulation and is available at this web address:

https://www.ecfr.gov/cgi-bin/text-idx?SID=6dd965f9a24ed881a38d9bf1a806fb07&mc=true&node=sp40.10.62.lll&rgn=div6#se40.10.62_116050]

006 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16000]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

How and when do I demonstrate continuous compliance with the emission limits and standards?

[Refer to regulation for Table 3 of 40 CFR Part 62 Subpart LLL. Table 2 is not applicable to the SSI units at this facility. A web address for the eCFR of Table 3 is printed at the end of this condition.]

To demonstrate continuous compliance with the emission limits and standards specified in Table 2 or 3 to this subpart, use the procedures specified in paragraph (a) of this section. In lieu of using the procedures specified in paragraph (a) of this section, you have the option to demonstrate initial compliance using the procedures specified in paragraph (b) of this section for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium, lead and fugitive emissions from ash handling. You must meet the requirements of paragraphs (a) and (b) of this section, as applicable, and paragraphs (c) through (e) of this section, according to the performance testing, monitoring, and calibration requirements in §62.16015(a) and (b). You may also petition the Administrator for alternative monitoring parameters as specified in paragraph (f) of this section.

(a) Demonstrate continuous compliance using a performance test. Except as provided in paragraphs (a)(3) and (e) of this section, following the date that the initial performance test for each pollutant in Table 2 or 3 to this subpart is completed, you

**SECTION E. Source Group Restrictions.**

must conduct a performance test for each such pollutant on an annual basis (between 11 and 13 calendar months following the previous performance test). The performance test must be conducted using the test methods, averaging methods, and minimum sampling volumes or durations specified in Table 2 or 3 to this subpart and according to the testing, monitoring and calibration requirements specified in §62.16015(a).

(1) You may conduct a repeat performance test at any time to establish new values for the operating limits to apply from that point forward. The Administrator may request a repeat performance test at any time.

(2) You must repeat the performance test within 60 days of a process change, as defined in §62.16045.

(3) Except as specified in paragraphs (a)(1) and (2) of this section, you can conduct performance tests less often for a given pollutant, as specified in paragraphs (a)(3)(i) through (iii) of this section.

(i) You can conduct performance tests less often if your performance tests for the pollutant for at least 2 consecutive years show that your emissions are at or below 75-percent of the emission limit specified in Table 2 or 3 to this subpart, and there are no changes in the operation of the affected source or air pollution control equipment that could increase emissions. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the third year and no more than 37 months after the previous performance test.

(ii) If your SSI unit continues to meet the emission limit for the pollutant, you may choose to conduct performance tests for the pollutant every third year if your emissions are at or below 75-percent of the emission limit, and if there are no changes in the operation of the affected source or air pollution control equipment that could increase emissions, but each such performance test must be conducted no more than 37 months after the previous performance test.

(iii) If a performance test shows emissions exceeded 75-percent of the emission limit for a pollutant, you must conduct annual performance tests for that pollutant until all performance tests over 2 consecutive years show compliance.

(b) Demonstrate continuous compliance using a continuous emissions monitoring system or continuous automated sampling system. The option to use a continuous emissions monitoring system for hydrogen chloride, dioxins/furans, cadmium or lead takes effect on the date a final performance specification applicable to hydrogen chloride, dioxins/furans, cadmium or lead is published in the FEDERAL REGISTER. The option to use a continuous automated sampling system for dioxins/furans takes effect on the date a final performance specification for such a continuous automated sampling system is published in the FEDERAL REGISTER. Collect data as specified in §62.16015(b)(6) and use the following procedures:

(1) To demonstrate continuous compliance with the emission limits for particulate matter, hydrogen chloride, carbon monoxide, dioxins/furans (total mass basis or toxic equivalency basis), mercury, nitrogen oxides, sulfur dioxide, cadmium and lead, you may substitute the use of a continuous monitoring system in lieu of conducting the annual performance test required in paragraph (a) of this section, as follows:

(i) You may substitute the use of a continuous emissions monitoring system for any pollutant specified in paragraph (b)(1) of this section in lieu of conducting the annual performance test for that pollutant in paragraph (a) of this section. For determining compliance with the carbon monoxide concentration limit using carbon monoxide CEMS, the correction to 7-percent oxygen does not apply during periods of startup or shutdown. Use the measured carbon monoxide concentration without correcting for oxygen concentration in averaging with other carbon monoxide concentrations (corrected to 7-percent oxygen) to determine the 24-hour average value.

(ii) You may substitute the use of a continuous automated sampling system for mercury or dioxins/furans in lieu of conducting the annual mercury or dioxin/furan performance test in paragraph (a) of this section.

(2) If you use a continuous emissions monitoring system to demonstrate compliance with an applicable emission limit in paragraph (b)(1) of this section, you must use the continuous emissions monitoring system and follow the requirements specified in §62.16015(b). You must measure emissions according to §60.13 of this chapter to calculate 1-hour arithmetic averages, corrected to 7-percent oxygen (or carbon dioxide). You must demonstrate initial compliance using a 24-hour block average of these 1-hour arithmetic average emission concentrations, calculated using Equation 19-19 in section 12.4.1 of Method 19 of 40 CFR part 60, appendix A-7.

**SECTION E. Source Group Restrictions.**

(3) If you use a continuous automated sampling system to demonstrate compliance with an applicable emission limit in paragraph (b)(1) of this section, you must:

(i) Use the continuous automated sampling system specified in §60.58b(p) and (q) of this chapter, and measure and calculate average emissions corrected to 7-percent oxygen (or carbon dioxide) according to §60.58b(p) and your monitoring plan.

(A) Use the procedures specified in §60.58b(p) of this chapter to calculate 24-hour averages to determine compliance with the mercury emission limit in Table 2 or 3 to this subpart.

(B) Use the procedures specified in §60.58b(p) of this chapter to calculate 2-week averages to determine compliance with the dioxin/furan (total mass basis or toxic equivalency basis) emission limits in Table 2 or 3 to this subpart.

(ii) Update your monitoring plan as specified in §60.4880(e) of this chapter. For mercury continuous automated sampling systems, you must use Performance Specification 12B of appendix B of part 75 of this chapter and Procedure 5 of appendix F of part 60 of this chapter.

(4) Except as provided in paragraph (e) of this section, you must complete your periodic performance evaluations required in your monitoring plan for any continuous emissions monitoring systems and continuous automated sampling systems, according to the schedule specified in your monitoring plan. If you were previously determining compliance by conducting an annual performance test (or according to the less frequent testing for a pollutant as provided in paragraph (a)(3) of this section), you must complete the initial performance evaluation required under your monitoring plan in §62.15995 for the continuous monitoring system prior to using the continuous emissions monitoring system to demonstrate compliance or continuous automated sampling system. Your performance evaluation must be conducted using the procedures and acceptance criteria specified in §62.15995(a)(3).

(c) To demonstrate compliance with the dioxins/furans toxic equivalency emission limit in paragraph (a) or (b) of this section, you must determine dioxins/furans toxic equivalency as follows:

(1) Measure the concentration of each dioxin/furan tetra- through octachlorinated-isomer emitted using Method 23 at 40 CFR part 60, appendix A-7.

(2) For each dioxin/furan (tetra- through octachlorinated) isomer measured in accordance with paragraph (c)(1) of this section, multiply the isomer concentration by its corresponding toxic equivalency factor specified in Table 5 to this subpart.

(3) Sum the products calculated in accordance with paragraph (c)(2) of this section to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

(d) You must submit an annual compliance report as specified in §62.16030(c). You must submit a deviation report as specified in §62.16030(d) for each instance that you did not meet each emission limit in Tables 2 and 3 to this subpart.

(e) If you demonstrate continuous compliance using a performance test, as specified in paragraph (a) of this section, then the provisions of this paragraph (e) apply. If a force majeure is about to occur, occurs, or has occurred for which you intend to assert a claim of force majeure, you must notify the Administrator in writing as specified in §62.16030(f). You must conduct the performance test as soon as practicable after the force majeure occurs. The Administrator will determine whether or not to grant the extension to the performance test deadline, and will notify you in writing of approval or disapproval of the request for an extension as soon as practicable. Until an extension of the performance test deadline has been approved by the Administrator, you remain strictly subject to the requirements of this subpart.

(f) After any initial requests in §62.15995 for alternative monitoring requirements for initial compliance, you may subsequently petition the Administrator for alternative monitoring parameters as specified in §§60.13(i) of this chapter and 62.15995(e).

[Source: 81 FR 26063, Apr. 29, 2016]

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**SECTION E. Source Group Restrictions.**

Table 3 to 40 CFR Part 62 Subpart LLL is incorporated into this permit by reference to the regulation and is available at this web address:

https://www.ecfr.gov/cgi-bin/text-idx?SID=6dd965f9a24ed881a38d9bf1a806fb07&mc=true&node=sp40.10.62.lll&rgn=div6#se40.10.62_116050

007 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16015]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What are the performance testing, monitoring, and calibration requirements for compliance with the emission limits and standards?**

You must meet, as applicable, the performance testing requirements specified in paragraph (a) of this section, the monitoring requirements specified in paragraph (b) of this section, the air pollution control device inspections requirements specified in paragraph (c) of this section, and the bypass stack provisions specified in paragraph (d) of this section.

(a) Performance testing requirements.

(1) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations, as specified in §60.8(c) of this chapter. Emissions in excess of the emission limits or standards during periods of startup, shutdown, and malfunction are considered deviations from the applicable emission limits or standards.

(2) You must document that the dry sludge burned during the performance test is representative of the sludge burned under normal operating conditions by:

(i) Maintaining a log of the quantity of sewage sludge burned during the performance test by continuously monitoring and recording the average hourly rate that sewage sludge is fed to the incinerator.

(ii) Maintaining a log of the moisture content of the sewage sludge burned during the performance test by taking grab samples of the sewage sludge fed to the incinerator for each 8 hour period that testing is conducted.

(3) All performance tests must be conducted using the test methods, minimum sampling volume, observation period, and averaging method specified in Table 2 or 3 to this subpart.

(4) Method 1 at 40 CFR part 60, appendix A, must be used to select the sampling location and number of traverse points.

(5) Method 3A or 3B at 40 CFR part 60, appendix A-2, must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B at 40 CFR part 60, appendix A-2, must be used simultaneously with each method.

(6) All pollutant concentrations must be adjusted to 7-percent oxygen using Equation 1 of this section:

$$C(\text{adj}) = C(\text{meas}) * (20.9 - 7) / (20.9 - \%O_2) \quad (\text{Eq. 1})$$

Refer to regulation for correct formatting of mathematical formula of equation 1 at this web address:

https://www.ecfr.gov/cgi-bin/text-idx?SID=6dd965f9a24ed881a38d9bf1a806fb07&mc=true&node=se40.10.62_116015&rgn=div8

Where:

C_{adj} = Pollutant concentration adjusted to 7 percent oxygen.

C_{meas} = Pollutant concentration measured on a dry basis.

(20.9 - 7) = 20.9 percent oxygen - 7 percent oxygen (defined oxygen correction basis).

20.9 = Oxygen concentration in air, percent.

%O₂ = Oxygen concentration measured on a dry basis, percent.

**SECTION E. Source Group Restrictions.**

(7) Performance tests must be conducted and data reduced in accordance with the test methods and procedures contained in this subpart unless the Administrator does one of the following.

(i) Specifies or approves, in specific cases, the use of a method with minor changes in methodology.

(ii) Approves the use of an equivalent method.

(iii) Approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance.

(iv) Waives the requirement for performance tests because you have demonstrated by other means to the Administrator's satisfaction that the affected SSI unit is in compliance with the standard.

(v) Approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph (a)(7) is construed to abrogate the Administrator's authority to require testing under section 114 of the Clean Air Act.

(8) You must provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days' notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, you must notify the Administrator as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator by mutual agreement.

(9) You must provide, or cause to be provided, performance testing facilities as follows:

(i) Sampling ports adequate for the test methods applicable to the SSI unit, as follows:

(A) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures.

(B) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(ii) Safe sampling platform(s).

(iii) Safe access to sampling platform(s).

(iv) Utilities for sampling and testing equipment.

(10) Unless otherwise specified in this subpart, each performance test must consist of three separate runs using the applicable test method. Each run must be conducted for the time and under the conditions specified in the applicable standard. Compliance with each emission limit must be determined by calculating the arithmetic mean of the three runs. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond your control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

(11) During each test run specified in paragraph (a)(1) of this section, you must operate your sewage sludge incinerator at a minimum of 85-percent of your maximum permitted capacity.

(b) [Paragraph (b) of §62.16015 is printed in this section of the permit under 'Monitoring Requirements'.]

(c) [Paragraph (c) of §62.16015 is printed in this section of the permit under 'Work Practice Requirements'.]

(d) [Paragraph (d) of §62.16015 is printed in this section of the permit under 'Emission Restrictions'.]

**SECTION E. Source Group Restrictions.**

(e) Incorporation by reference. These standards are incorporated by reference into this section with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. All approved material is available for inspection at the U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 272-0167, <http://www.epa.gov>. You may also inspect a copy at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(1) American Society of Mechanical Engineers (ASME), Three Park Avenue, New York, NY 10016-5990 (Phone: 1-800-843-2763; Web site: <https://www.asme.org/>).

(i) ANSI/ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus].

(ii) [Reserved]

(2) ASTM Int'l, 100 Barr Harbor Drive, Post Office Box C700, West Conshohocken, PA 19428-2959; or ProQuest, 300 North Zeeb Road, Ann Arbor, MI 48106 (Phone: 1-877-909-2786; Web site: <http://www.astm.org/>).

(i) ASTM D6784-02 (Reapproved 2008) Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), approved April 1, 2008.

(ii) [Reserved]

(3) U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW., Washington, DC 20460, (202) 272-0167, <http://www.epa.gov>.

(i) OAQPS Fabric Filter Bag Leak Detection Guidance, EPA-454/R-98-015, September 1997.

(ii) [Reserved]

[Source: 81 FR 26063, Apr. 29, 2016]

III. MONITORING REQUIREMENTS.**# 008 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15960]****Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What operating limits and requirements must I meet and by when?**

[Refer to regulation for Tables 2, 3, and 4 of 40 CFR Part 62 Subpart LLL. Table 2 is not applicable to this facility. Tables 3 & 4 do apply to these SSI units. A web address for the eCFR of Tables 3 & 4 is printed at the end of this condition.]

You must meet, as applicable, the operating limits and requirements specified in paragraphs (a) through (d) and (h) of this section, according to the schedule specified in paragraph (e) of this section. The operating parameters for which you will establish operating limits for a wet scrubber, fabric filter, electrostatic precipitator or activated carbon injection are listed in Table 4 to this subpart. You must comply with the operating requirements in paragraph (f) of this section and the requirements in paragraph (g) of this section for meeting any new operating limits, re-established in §62.16005. The operating limits apply at all times that sewage sludge is in the combustion chamber (i.e., until the sewage sludge feed to the combustor has been cut off for a period of time not less than the sewage sludge incineration residence time):

(a) You must meet a site-specific operating limit for minimum operating temperature of the combustion chamber (or afterburner combustion chamber) that you establish in §62.15985;

(b) If you use a wet scrubber, electrostatic precipitator, activated carbon injection or afterburner to comply with an emission limit, you must meet the site-specific operating limits that you establish in §62.15985 for each operating parameter associated with each air pollution control device;

(c) [Not applicable to this facility]

(d) You must meet the operating requirements in your site-specific fugitive emission monitoring plan, submitted as

**SECTION E. Source Group Restrictions.**

specified in §62.15995(d) to ensure that your ash handling system will meet the emission standard for fugitive emissions from ash handling;

(e) You must meet the operating limits and requirements specified in paragraphs (a) through (d) of this section by the final compliance date specified in §62.15875;

(f) You must monitor the feed rate and moisture content of the sewage sludge fed to the sewage sludge incinerator, as specified in paragraphs (f)(1) and (2) of this section:

(1) Continuously monitor the sewage sludge feed rate and calculate a daily average for all hours of operation during each 24-hour period. Keep a record of the daily average feed rate, as specified in §62.16025(f)(3)(ii); and

(2) Take at least one grab sample per day of the sewage sludge fed to the sewage sludge incinerator. If you take more than one grab sample in a day, calculate the daily average for the grab samples. Keep a record of the daily average moisture content, as specified in §62.16025(f)(3)(ii).

(g) For the operating limits and requirements specified in paragraphs (a) through (d) and (h) of this section, you must meet any new operating limits and requirements, re-established according to §62.16005(d)); and

(h) If you use an air pollution control device other than a wet scrubber, fabric filter, electrostatic precipitator or activated carbon injection to comply with the emission limits in Table 2 or 3 to this subpart, you must meet any site-specific operating limits or requirements that you establish as required in §62.15965.

[Source: 81 FR 26063, Apr. 29, 2016]

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Tables 3 & 4 to 40 CFR Part 62 Subpart LLL are available at this web address:

https://www.ecfr.gov/cgi-bin/text-idx?SID=6dd965f9a24ed881a38d9bf1a806fb07&mc=true&node=sp40.10.62.lll&rgn=div6#se40.10.62_116050

009 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15985]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****How do I establish my operating limits?**

[Refer to regulation for Tables 3 & 4 of 40 CFR Part 62 Subpart LLL. Table 2 is not applicable to the SSI units at this facility. A web address for the eCFR of Table 3 is printed at the end of this condition.]

(a) You must establish the site-specific operating limits specified in paragraphs (b) through (h) of this section or established in §62.15965, as applicable, during your initial performance tests required in §62.15980. You must meet the requirements in §62.16005(d) to confirm these operating limits or re-establish new operating limits using operating data recorded during any performance tests or performance evaluations required in §62.16000. You must follow the data measurement and recording frequencies and data averaging times specified in Table 4 to this subpart or as established in §62.15965, and you must follow the testing, monitoring and calibration requirements specified in §§62.16015 and 62.16020 or established in §62.15965. You are not required to establish operating limits for the operating parameters listed in Table 4 to this subpart for a control device if you use a continuous monitoring system to demonstrate compliance with the emission limits in Table 2 or 3 to this subpart for the applicable pollutants, as follows:

(1) For a scrubber designed to control emissions of hydrogen chloride or sulfur dioxide, you are not required to establish an operating limit and monitor scrubber liquid flow rate or scrubber liquid pH if you use the continuous monitoring system specified in §§60.4865(b) and 60.4885(b) of this chapter to demonstrate compliance with the emission limit for hydrogen chloride or sulfur dioxide.

(2) For a scrubber designed to control emissions of particulate matter, cadmium and lead, you are not required to establish an operating limit and monitor pressure drop across the scrubber or scrubber liquid flow rate if you use the

**SECTION E. Source Group Restrictions.**

continuous monitoring system specified in §§60.4865(b) and 60.4885(b) of this chapter to demonstrate compliance with the emission limit for particulate matter, cadmium and lead.

(3) For an electrostatic precipitator designed to control emissions of particulate matter, cadmium and lead, you are not required to establish an operating limit and monitor secondary voltage of the collection plates, secondary amperage of the collection plates or effluent water flow rate at the outlet of the electrostatic precipitator if you use the continuous monitoring system specified in §§60.4865(b) and 60.4885(b) of this chapter to demonstrate compliance with the emission limit for particulate matter, lead and cadmium.

(4) For an activated carbon injection system designed to control emissions of mercury, you are not required to establish an operating limit and monitor sorbent injection rate and carrier gas flow rate (or carrier gas pressure drop) if you use the continuous monitoring system specified in §§60.4865(b) and 60.4885(b) of this chapter to demonstrate compliance with the emission limit for mercury.

(5) For an activated carbon injection system designed to control emissions of dioxins/furans, you are not required to establish an operating limit and monitor sorbent injection rate and carrier gas flow rate (or carrier gas pressure drop) if you use the continuous monitoring system specified in §§60.4865(b) and 60.4885(b) of this chapter to demonstrate compliance with the emission limit for dioxins/furans (total mass basis or toxic equivalency basis).

(b) Minimum pressure drop across each wet scrubber used to meet the particulate matter, lead and cadmium emission limits in Table 2 or 3 to this subpart, equal to the lowest 4-hour average pressure drop across each such wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter, lead and cadmium emission limits.

(c) Minimum scrubber liquid flow rate (measured at the inlet to each wet scrubber), equal to the lowest 4-hour average liquid flow rate measured during the most recent performance test demonstrating compliance with all applicable emission limits.

(d) Minimum scrubber liquid pH for each wet scrubber used to meet the sulfur dioxide or hydrogen chloride emission limits in Table 2 or 3 to this subpart, equal to the lowest 1-hour average scrubber liquid pH measured during the most recent performance test demonstrating compliance with the sulfur dioxide and hydrogen chloride emission limits.

(e) Minimum combustion chamber operating temperature (or minimum afterburner temperature), equal to the lowest 4-hour average combustion chamber operating temperature (or afterburner temperature) measured during the most recent performance test demonstrating compliance with all applicable emission limits.

(f) Minimum power input to the electrostatic precipitator collection plates, equal to the lowest 4-hour average secondary electric power measured during the most recent performance test demonstrating compliance with the particulate matter, lead and cadmium emission limits. Power input must be calculated as the product of the secondary voltage and secondary amperage to the electrostatic precipitator collection plates. Both the secondary voltage and secondary amperage must be recorded during the performance test.

(g) Minimum effluent water flow rate at the outlet of the electrostatic precipitator, equal to the lowest 4-hour average effluent water flow rate at the outlet of the electrostatic precipitator measured during the most recent performance test demonstrating compliance with the particulate matter, lead and cadmium emission limits.

[NOTE: On Nov. 2, 2015, EPA approved the monitoring of the WESP inlet wash/flush water flow rate as an alternative to monitoring the effluent flow rate at the outlet of the WESP. This approval is contingent upon the stack test adequately reflecting the operations described in the April 20, 2015, request to the EPA and subsequent correspondence. A copy of the approval is on file in PA DEP NWRO file AQ/Facilities/CASE/25-000-00179.]

(h) [Not applicable]

[Source: 81 FR 26063, Apr. 29, 2016]

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**SECTION E. Source Group Restrictions.**

Table 3 to 40 CFR Part 62 Subpart LLL is incorporated into this permit by reference to the regulation and is available at this web address:

https://www.ecfr.gov/cgi-bin/text-idx?SID=6dd965f9a24ed881a38d9bf1a806fb07&mc=true&node=sp40.10.62.lll&rgn=div6#se40.10.62_116050

010 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16005]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****How do I demonstrate continuous compliance with my operating limits?**

You must continuously monitor your operating parameters as specified in paragraph (a) of this section and meet the requirements of paragraphs (b) and (c) of this section, according to the monitoring and calibration requirements in §62.16020. You must confirm and re-establish your operating limits as specified in paragraph (d) of this section.

(a) You must continuously monitor the operating parameters specified in paragraphs (a)(1) and (2) of this section using the continuous monitoring equipment and according to the procedures specified in §62.16020 or established in §62.15965. To determine compliance, you must use the data averaging period specified in Table 4 to this subpart (except for alarm time of the baghouse leak detection system) unless a different averaging period is established under §62.15965.

(1) You must demonstrate that the SSI unit meets the operating limits established according to §§62.15965 and 62.15985 and paragraph (d) of this section for each applicable operating parameter.

(2) [Not applicable to this facility.]

(b) Operation above the established maximum, below the established minimum, or outside the allowable range of the operating limits specified in paragraph (a) of this section constitutes a deviation from your operating limits established under this subpart, except during performance tests conducted to determine compliance with the emission and operating limits or to establish new operating limits. You must submit the deviation report specified in §62.16030(d) for each instance that you did not meet one of your operating limits established under this subpart.

(c) You must submit the annual compliance report specified in §62.16030(c) to demonstrate continuous compliance.

(d) You must confirm your operating limits according to paragraph (d)(1) of this section or re-establish operating limits according to paragraph (d)(2) of this section. Your operating limits must be established so as to assure ongoing compliance with the emission limits. These requirements also apply to your operating requirements in your fugitive emissions monitoring plan specified in §62.15960(d).

(1) Your operating limits must be based on operating data recorded during any performance test required in §62.16000(a) or any performance evaluation required in §62.16000(b)(4).

(2) You may conduct a repeat performance test at any time to establish new values for the operating limits to apply from that point forward.

[Source: 81 FR 26063, Apr. 29, 2016]

011 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16015]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What are the performance testing, monitoring, and calibration requirements for compliance with the emission limits and standards?**

You must meet, as applicable, the performance testing requirements specified in paragraph (a) of this section, the monitoring requirements specified in paragraph (b) of this section, the air pollution control device inspections requirements specified in paragraph (c) of this section, and the bypass stack provisions specified in paragraph (d) of this section.

(a) [Paragraph (a) of §62.16015 is printed in this section of the permit under 'Testing Requirements'.]

(b) Continuous monitor requirements. You must meet the following requirements, as applicable, when using a continuous

**SECTION E. Source Group Restrictions.**

monitoring system to demonstrate compliance with the emission limits in Table 2 or 3 to this subpart. The option to use a continuous emissions monitoring system for hydrogen chloride, dioxins/furans, cadmium, or lead takes effect on the date a final performance specification applicable to hydrogen chloride, dioxins/furans, cadmium or lead is published in the FEDERAL REGISTER. If you elect to use a continuous emissions monitoring system instead of conducting annual performance testing, you must meet the requirements of paragraphs (b)(1) through (6) of this section. If you elect to use a continuous automated sampling system instead of conducting annual performance testing, you must meet the requirements of paragraph (b)(7) of this section. The option to use a continuous automated sampling system for dioxins/furans takes effect on the date a final performance specification for such a continuous automated sampling system is published in the FEDERAL REGISTER.

(1) You must notify the Administrator 1 month before starting use of the continuous emissions monitoring system.

(2) You must notify the Administrator 1 month before stopping use of the continuous emissions monitoring system, in which case you must also conduct a performance test within prior to ceasing operation of the system.

(3) You must install, operate, calibrate, and maintain an instrument for continuously measuring and recording the emissions to the atmosphere in accordance with the following:

(i) Section 60.13 of subpart A of part 60 of this chapter.

(ii) The following performance specifications of appendix B of part 60 of this chapter, as applicable:

(A) For particulate matter, Performance Specification 11 of appendix B of part 60 of this chapter.

(B) For hydrogen chloride, Performance Specification 15 of appendix B of part 60 of this chapter.

(C) For carbon monoxide, Performance Specification 4B of appendix B of part 60 of this chapter with spans appropriate to the applicable emission limit.

(D) [Reserved]

(E) For mercury, Performance Specification 12A of appendix B of part 60 of this chapter.

(F) For nitrogen oxides, Performance Specification 2 of appendix B of part 60 of this chapter.

(G) For sulfur dioxide, Performance Specification 2 of appendix B of part 60 of this chapter.

(iii) For continuous emissions monitoring systems, the quality assurance procedures (e.g., quarterly accuracy determinations and daily calibration drift tests) of appendix F of part 60 of this chapter specified in paragraphs (b)(3)(iii)(A) through (G) of this section. For each pollutant, the span value of the continuous emissions monitoring system is two times the applicable emission limit, expressed as a concentration.

(A) For particulate matter, Procedure 2 in appendix F of part 60 of this chapter.

(B) For hydrogen chloride, Procedure 1 in appendix F of part 60 of this chapter except that the Relative Accuracy Test Audit requirements of Procedure 1 shall be replaced with the validation requirements and criteria of sections 11.1.1 and 12.0 of Performance Specification 15 of appendix B of part 60 of this chapter.

(C) For carbon monoxide, Procedure 1 in appendix F of part 60 of this chapter.

(D) [Reserved]

(E) For mercury, Procedures 5 in appendix F of part 60 of this chapter.

(F) For nitrogen oxides, Procedure 1 in appendix F of part 60 of this chapter.

(G) For sulfur dioxide, Procedure 1 in appendix F of part 60 of this chapter.

**SECTION E. Source Group Restrictions.**

(iv) If your monitoring system has a malfunction or out-of-control period, you must complete repairs and resume operation of your monitoring system as expeditiously as possible.

(4) During each relative accuracy test run of the continuous emissions monitoring system using the performance specifications in paragraph (b)(3)(ii) of this section, emission data for each regulated pollutant and oxygen (or carbon dioxide as established in paragraph (b)(5) of this section) must be collected concurrently (or within a 30- to 60-minute period) by both the continuous emissions monitoring systems and the test methods specified in paragraph (b)(4)(i) through (viii) of this section. Relative accuracy testing must be at representative operating conditions while the SSI unit is charging sewage sludge.

(i) For particulate matter, Method 5 at 40 CFR part 60, appendix A-3, or Method 26A or 29 at 40 CFR part 60, appendix A-8, shall be used.

(ii) For hydrogen chloride, Method 26 or 26A at 40 CFR part 60, appendix A-8, shall be used, as specified in Tables 2 and 3 to this subpart.

(iii) For carbon monoxide, Method 10, 10A, or 10B at 40 CFR part 60, appendix A-4, shall be used.

(iv) For dioxins/furans, Method 23 at 40 CFR part 60, appendix A-7, shall be used.

(v) For mercury, cadmium and lead, Method 29 at 40 CFR part 60, appendix A-8, shall be used. Alternatively for mercury, either Method 30B at 40 CFR part 60, appendix A-8, or ASTM D6784-02 (Reapproved 2008) (see paragraph (e) of this section).

(vi) For nitrogen oxides, Method 7 or 7E at 40 CFR part 60, appendix A-4, shall be used.

(vii) For sulfur dioxide, Method 6 or 6C at 40 CFR part 60, appendix A-4, or as an alternative ANSI/ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus] must be used (see paragraph (e) of this section). For sources that have actual inlet emissions less than 100 parts per million dry volume, the relative accuracy criterion for the inlet of the sulfur dioxide continuous emissions monitoring system should be no greater than 20-percent of the mean value of the method test data in terms of the units of the emission standard, or 5 parts per million dry volume absolute value of the mean difference between the method and the continuous emissions monitoring system, whichever is greater.

(viii) For oxygen (or carbon dioxide as established in paragraph (b)(5) of this section), Method 3A or 3B at 40 CFR part 60, appendix A-2, or as an alternative ANSI/ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], as applicable, must be used (see paragraph (e) of this section).

(5) You may request that compliance with the emission limits be determined using carbon dioxide measurements corrected to an equivalent of 7-percent oxygen. If carbon dioxide is selected for use in diluent corrections, the relationship between oxygen and carbon dioxide levels must be established during the initial performance test according to the procedures and methods specified in paragraphs (b)(5)(i) through (iv) of this section. This relationship may be re-established during subsequent performance tests.

(i) The fuel factor equation in Method 3B at 40 CFR part 60, appendix A-2, must be used to determine the relationship between oxygen and carbon dioxide at a sampling location. Method 3A or 3B at 50 CFR part 60, appendix A-2, or as an alternative ANSI/ASME PTC 19.10-1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], as applicable, must be used to determine the oxygen concentration at the same location as the carbon dioxide monitor (see paragraph (e) of this section).

(ii) Samples must be taken for at least 30 minutes in each hour.

(iii) Each sample must represent a 1-hour average.

(iv) A minimum of three runs must be performed.

(6) You must operate the continuous monitoring system and collect data with the continuous monitoring system as

**SECTION E. Source Group Restrictions.**

follows:

(i) You must collect data using the continuous monitoring system at all times the affected SSI unit is operating and at the intervals specified in paragraph (b)(6)(ii) of this section, except for periods of monitoring system malfunctions that occur during periods specified in §62.15995(a)(7)(i), repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments). Any such periods that you do not collect data using the continuous monitoring system constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(ii) You must collect continuous emissions monitoring system data in accordance with §60.13(e)(2) of this chapter.

(iii) Any data collected during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities must not be included in calculations used to report emissions or operating levels. Any such periods must be reported in a deviation report.

(iv) Any data collected during periods when the monitoring system is out of control as specified in §60.4880(a)(7)(i) of this chapter, repairs associated with periods when the monitoring system is out of control, or required monitoring system quality assurance or control activities conducted during out-of-control periods must not be included in calculations used to report emissions or operating levels. Any such periods that do not coincide with a monitoring system malfunction as defined in §62.16045, constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(v) You must use all the data collected during all periods except those periods specified in paragraphs (b)(6)(iii) and (iv) of this section in assessing the operation of the control device and associated control system.

(7) If you elect to use a continuous automated sampling system instead of conducting annual performance testing, you must:

(i) Install, calibrate, maintain and operate a continuous automated sampling system according to the site-specific monitoring plan developed in §60.58b(p)(1) through (6), (9), (10), and (q) of this chapter.

(ii) Collect data according to §60.58b(p)(5) of this chapter and paragraph (b)(6) of this section.

(c) [Paragraph (c) of §62.16015 is printed in this section of the permit under 'Work Practice Requirements'.]

(d) [Paragraph (d) of §62.16015 is printed in this section of the permit under 'Emission Restrictions']

(e) [Paragraph (e) of §62.16015 is printed in this section of the permit under 'Testing Requirements'.]

[Source: 81 FR 26063, Apr. 29, 2016]

012 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16020]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What are the monitoring and calibration requirements for compliance with my operating limits?**

(a) You must install, operate, calibrate and maintain the continuous parameter monitoring systems according to the requirements in paragraphs (a)(1) and (2) of this section.

(1) Meet the following general requirements for flow, pressure, pH and operating temperature measurement devices:

(i) You must collect data using the continuous monitoring system at all times the affected SSI unit is operating and at the intervals specified in paragraph (a)(1)(ii) of this section, except for periods of monitoring system malfunctions that occur during periods specified defined in §62.15995(a)(7)(i), repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments). Any such periods that you do not collect data using the continuous monitoring system constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(ii) You must collect continuous parameter monitoring system data in accordance with §60.13(e)(2) of this chapter.

**SECTION E. Source Group Restrictions.**

(iii) Any data collected during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities must not be included in calculations used to report emissions or operating levels. Any such periods must be reported in your annual deviation report.

(iv) Any data collected during periods when the monitoring system is out of control as specified in §62.15995(a)(7)(i) must not be included in calculations used to report emissions or operating levels. Any such periods that do not coincide with a monitoring system malfunction, as defined in §62.16045, constitute a deviation from the monitoring requirements and must be reported in a deviation report.

(v) You must use all the data collected during all periods except those periods specified in paragraphs (a)(1)(iii) and (iv) of this section in assessing the operation of the control device and associated control system.

(vi) Record the results of each inspection, calibration and validation check.

(2) Operate and maintain your continuous monitoring system according to your monitoring plan required under §60.4880 of this chapter. Additionally:

(i) For carrier gas flow rate monitors (for activated carbon injection), during the performance test conducted pursuant to §60.4885 chapter, you must demonstrate that the system is maintained within ± 5 -percent accuracy, according to the procedures in appendix A to part 75 of this chapter.

(ii) For carrier gas pressure drop monitors (for activated carbon injection), during the performance test conducted pursuant to §60.4885 of this chapter, you must demonstrate that the system is maintained within ± 5 -percent accuracy.

(b) [Paragraph (b) of the regulation is not applicable to this facility.]

(c) You must operate and maintain the continuous parameter monitoring systems specified in paragraphs (a) and (b) of this section in continuous operation according to your monitoring plan required under §60.4880 of this chapter.

(d) If your SSI unit has a bypass stack, you must install, calibrate (to manufacturers' specifications), maintain and operate a device or method for measuring the use of the bypass stack including date, time and duration.

[Source: 81 FR 26063, Apr. 29, 2016]

IV. RECORDKEEPING REQUIREMENTS.

013 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16025]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

What records must I keep?

You must maintain the items (as applicable) specified in paragraphs (a) through (n) of this section for a period of at least 5 years. All records must be available on site in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

(a) Date. Calendar date of each record.

(b) Final control plan and final compliance. Copies of the final control plan and any additional notifications, reported under §62.16030.

(c) Operator training. Documentation of the operator training procedures and records specified in paragraphs (c)(1) through (4) of this section. You must make available and readily accessible at the facility at all times for all SSI unit operators the documentation specified in paragraph (c)(1) of this section.

(1) Documentation of the following operator training procedures and information:

(i) Summary of the applicable standards under this subpart.

(ii) Procedures for receiving, handling and feeding sewage sludge.

**SECTION E. Source Group Restrictions.**

(iii) Incinerator startup, shutdown, and malfunction preventative and corrective procedures.

(iv) Procedures for maintaining proper combustion air supply levels.

(v) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this subpart.

(vi) Monitoring procedures for demonstrating compliance with the incinerator operating limits.

(vii) Reporting and recordkeeping procedures.

(viii) Procedures for handling ash.

(ix) A list of the materials burned during the performance test, if in addition to sewage sludge.

(x) For each qualified operator and other plant personnel who may operate the unit according to the provisions of §62.15945(a), the phone and/or pager number at which they can be reached during operating hours.

(2) Records showing the names of SSI unit operators and other plant personnel who may operate the unit according to the provisions of §62.15945(a), as follows:

(i) Records showing the names of SSI unit operators and other plant personnel who have completed review of the information in paragraph (c)(1) of this section as required by §62.15950(b), including the date of the initial review and all subsequent annual reviews.

(ii) Records showing the names of the SSI unit operators who have completed the operator training requirements under §62.15920, met the criteria for qualification under §62.15930, and maintained or renewed their qualification under §62.15935 or §62.15940. Records must include documentation of training, including the dates of their initial qualification and all subsequent renewals of such qualifications.

(3) Records showing the periods when no qualified operators were accessible for more than 8 hours, but less than 2 weeks, as required in §62.15945(a).

(4) Records showing the periods when no qualified operators were accessible for 2 weeks or more along with copies of reports submitted as required in §62.15945(b).

(d) Air pollution control device inspections. Records of the results of initial and annual air pollution control device inspections conducted as specified in §§62.15990 and 62.16015(c), including any required maintenance and any repairs not completed within 10 days of an inspection or the timeframe established by the Administrator.

(e) Performance test reports.

(1) The results of the initial, annual and any subsequent performance tests conducted to determine compliance with the emission limits and standards and/or to establish operating limits, as applicable.

(2) Retain a copy of the complete performance test report, including calculations.

(3) Keep a record of the hourly dry sludge feed rate measured during performance test runs as specified in §62.16015(a)(2)(i).

(4) Keep any necessary records to demonstrate that the performance test was conducted under conditions representative of normal operations, including a record of the moisture content measured as required in §62.16015(a)(2)(ii) for each grab sample taken of the sewage sludge burned during the performance test.

(f) Continuous monitoring data. Records of the following data, as applicable:

(1) For continuous emissions monitoring systems, all 1-hour average concentrations of particulate matter, hydrogen

**SECTION E. Source Group Restrictions.**

chloride, carbon monoxide, dioxins/furans total mass basis, mercury, nitrogen oxides, sulfur dioxide, cadmium and lead emissions.

(2) For continuous automated sampling systems, all average concentrations measured for mercury and dioxins/furans total mass basis at the frequencies specified in your monitoring plan.

(3) For continuous parameter monitoring systems:

(i) All 1-hour average values recorded for the following operating parameters, as applicable:

(A) Combustion chamber operating temperature (or afterburner temperature).

(B) If a wet scrubber is used to comply with the rule, pressure drop across each wet scrubber system and liquid flow rate to each wet scrubber used to comply with the emission limit in Table 2 or 3 to this subpart for particulate matter, cadmium or lead and scrubber liquid flow rate and scrubber liquid pH for each wet scrubber used to comply with an emission limit in Table 2 or 3 to this subpart for sulfur dioxide or hydrogen chloride.

(C) If an electrostatic precipitator is used to comply with the rule, secondary voltage of the electrostatic precipitator collection plates and secondary amperage of the electrostatic precipitator collection plates and effluent water flow rate at the outlet of the wet electrostatic precipitator.

[NOTE: On Nov. 2, 2015, EPA approved the monitoring of the WESP inlet wash/flush water flow rate as an alternative to monitoring the effluent flow rate at the outlet of the WESP. This approval is contingent upon the stack test adequately reflecting the operations described in the April 20, 2015, request to the EPA and subsequent correspondence. A copy of the approval is on file in PADEP NWRO file AQ/Facilities/CASE/25-000-00179.]

(D) [Not applicable]

(ii) All daily average values recorded for the feed rate and moisture content of the sewage sludge fed to the sewage sludge incinerator, monitored and calculated as specified in §62.15960(f).

(iii) If a fabric filter is used to comply with the rule, the date, time and duration of each alarm and the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of operating time during each 6-month period that the alarm sounds, calculated as specified in §62.16005.

(iv) For other control devices for which you must establish operating limits under §62.15965, you must maintain data collected for all operating parameters used to determine compliance with the operating limits, at the frequencies specified in your monitoring plan.

(g) Other records for continuous monitoring systems. You must keep the following records, as applicable:

(1) Keep records of any notifications to the Administrator in §60.4915(h)(1) of this chapter of starting or stopping use of a continuous monitoring system for determining compliance with any emissions limit.

(2) Keep records of any requests under §62.16015(b)(5) that compliance with the emission limits be determined using carbon dioxide measurements corrected to an equivalent of 7-percent oxygen.

(3) If activated carbon injection is used to comply with the rule, the type of sorbent used and any changes in the type of sorbent used.

(h) Deviation reports. Records of any deviation reports submitted under §62.16030(e) and (f).

(i) Equipment specifications and operation and maintenance requirements. Equipment specifications and related operation and maintenance requirements received from vendors for the incinerator, emission controls and monitoring equipment.

**SECTION E. Source Group Restrictions.**

- (j) Inspections, calibrations and validation checks of monitoring devices. Records of inspections, calibration and validation checks of any monitoring devices as required under §§62.16015 and 62.16020.
- (k) Monitoring plan and performance evaluations for continuous monitoring systems. Records of the monitoring plans required under §62.15995, and records of performance evaluations required under §62.16000(b)(5).
- (l) Less frequent testing. If, consistent with §62.16000(a)(3), you elect to conduct performance tests less frequently than annually, you must keep annual records that document that your emissions in the two previous consecutive years were at or below 75-percent of the applicable emission limit in Table 1 or 2 to this subpart, and document that there were no changes in source operations or air pollution control equipment that would cause emissions of the relevant pollutant to increase within the past 2 years. [NOTE that there is a typo in this paragraph from the promulgation of the final rule. The reference to Table 1 or 2 in this paragraph should actually read 'Table 2 or 3'.]
- (m) Use of bypass stack. Records indicating use of the bypass stack, including dates, times and durations as required under §62.16020(d).
- (n) If a malfunction occurs, you must keep a record of the information submitted in your annual report in §62.16030(c)(16).

[Source: 81 FR 26063, Apr. 29, 2016]

V. REPORTING REQUIREMENTS.**# 014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.19]****Subpart A - General Provisions****General notification and reporting requirements.**

[Sections 60.19(c) and (f) are printed here for reference because 60.19(c) is referenced by §62.16030(h)(3) pertaining to approval for changing reporting dates for Part 62 Subpart LLL compliance.]

(c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f) (1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[59 FR 12428, Mar. 16, 1994, as amended at 64 FR 7463, Feb. 12, 1998]

**SECTION E. Source Group Restrictions.****# 015 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15885]****Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What must I include in the notifications of achievement of compliance?**

Your notification of achievement of compliance must include the three items specified in paragraphs (a) through (c) of this section:

- (a) Notification that the final control plan has been submitted and final compliance has been achieved;
- (b) Any items required to be submitted with the final control plan and final compliance; and
- (c) Signature of the owner or operator of the SSI unit.

[Source: 81 FR 26063, Apr. 29, 2016]

016 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15890]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****When must I submit the notifications of achievement of compliance?**

Notifications for achieving compliance must be postmarked no later than 10 business days after the compliance date.

[The compliance date is March 21, 2016, as printed in §62.15875.]

[Source: 81 FR 26063, Apr. 29, 2016]

017 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15895]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What if I do not meet the compliance date?**

If you fail to submit a final control plan and achieve final compliance, you must submit a notification to the Administrator postmarked within 10 business days after the compliance date in Table 1 to this subpart. You must inform the Administrator that you did not achieve compliance, and you must continue to submit reports each subsequent calendar month until a final control plan is submitted and final compliance is met. An SSI unit that operates out of compliance after the final compliance date would be in violation of the federal plan and subject to enforcement action.

[Source: 81 FR 26063, Apr. 29, 2016]

[The final compliance date from Table 1 is March 21, 2016.]

018 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15900]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****How do I comply with the requirement for submittal of a control plan?**

For your control plan, you must satisfy the two requirements specified in paragraphs (a) and (b) of this section.

(a) Submit the final control plan to your EPA regional office and permitting authority or delegated authority that includes the four items described in paragraphs (a)(1) through (4) of this section:

(1) A description of the devices for air pollution control and process changes that you will use to comply with the emission limits and standards and other requirements of this subpart;

(2) The type(s) of waste to be burned, if waste other than sewage sludge is burned in the unit;

(3) The maximum design sewage sludge burning capacity; and

(4) If applicable, the petition for site-specific operating limits under §62.15965.

(b) Maintain an onsite copy of the final control plan.

**SECTION E. Source Group Restrictions.**

[Source: 81 FR 26063, Apr. 29, 2016]

019 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15905]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

How do I achieve final compliance?

For achieving final compliance, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected SSI unit is brought online, all necessary process changes and air pollution control devices would operate as designed.

[Source: 81 FR 26063, Apr. 29, 2016]

020 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15945]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

What if all the qualified operators are temporarily not accessible?

If a qualified operator is not at the facility and cannot be at the facility within 1 hour, you must meet the criteria specified in either paragraph (a) or (b) of this section, depending on the length of time that a qualified operator is not accessible:

(a) When a qualified operator is not accessible for more than 8 hours, the SSI unit may be operated for less than 2 weeks by other plant personnel who are familiar with the operation of the SSI unit and who have completed a review of the information specified in §62.15950 within the past 12 months. However, you must record the period when a qualified operator was not accessible and include this deviation in the annual report as specified under §62.16030(c).

(b) When a qualified operator is not accessible for 2 weeks or more, you must take the two actions that are described in paragraphs (b)(1) and (2) of this section:

(1) Notify the Administrator of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible; and

(2) Submit a status report to the Administrator every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible and requesting approval from the Administrator to continue operation of the SSI unit. You must submit the first status report 4 weeks after you notify the Administrator of the deviation under paragraph (b)(1) of this section:

(i) If the Administrator notifies you that your request to continue operation of the SSI unit is disapproved, the SSI unit may continue operation for 30 days and then must cease operation; and

(ii) Operation of the unit may resume if a qualified operator is accessible as required under §62.15920(a). You must notify the Administrator within 5 days of having resumed operations and of having a qualified operator accessible.

[Source: 81 FR 26063, Apr. 29, 2016]

021 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15995]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

How do I develop a site-specific monitoring plan for my continuous monitoring, bag leak detection, and ash handling systems, and by what date must I conduct an initial performance evaluation?

[Refer to regulation for Table 3 of 40 CFR Part 62 Subpart LLL. Table 2 is not applicable to the SSI units at this facility. A web address for the eCFR of Table 3 is printed at the end of this condition.]

[NOTE: A Site-Specific Monitoring Plan for Continuous Parametric Monitoring System was submitted to the EPA and PA DEP on December 11, 2015, by Erie Sewer Authority for the WWTP and a copy is on file in PA DEP NWRO file AQ/Facilities/CASE/25-000-00179.]

**SECTION E. Source Group Restrictions.**

You must develop and submit to the Administrator for approval a site-specific monitoring plan for each continuous monitoring system required under this subpart, according to the requirements in paragraphs (a) through (c) of this section. This requirement also applies to you if you petition the Administrator for alternative monitoring parameters under §60.13(i) of this chapter and paragraph (e) of this section. If you use a continuous automated sampling system to comply with the mercury or dioxin/furan (total mass basis or toxic equivalency basis) emission limits, you must develop your monitoring plan as specified in §60.58b(q) of this chapter, and you are not required to meet the requirements in paragraphs (a) and (b) of this section. You must also submit a site-specific monitoring plan for your ash handling system, as specified in paragraph (d) of this section. You must submit and update your monitoring plans as specified in paragraphs (f) through (h) of this section.

(a) For each continuous monitoring system, your monitoring plan must address the elements and requirements specified in paragraphs (a)(1) through (8) of this section. You must operate and maintain the continuous monitoring system in continuous operation according to the site-specific monitoring plan.

(1) Installation of the continuous monitoring system sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (e.g., on or downstream of the last control device).

(2) Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer and the data collection and reduction systems.

(3) Performance evaluation procedures and acceptance criteria (e.g., calibrations).

(i) For continuous emissions monitoring systems, your performance evaluation and acceptance criteria must include, but is not limited to, the following:

(A) The applicable requirements for continuous emissions monitoring systems specified in §60.13 of this chapter.

(B) The applicable performance specifications (e.g., relative accuracy tests) in appendix B of part 60 of this chapter.

(C) The applicable procedures (e.g., quarterly accuracy determinations and daily calibration drift tests) in appendix F of part 60 of this chapter.

(D) A discussion of how the occurrence and duration of out-of-control periods will affect the suitability of CEMS data, where out-of-control has the meaning given in paragraph (a)(7)(i) of this section.

(ii) For continuous parameter monitoring systems, your performance evaluation and acceptance criteria must include, but is not limited to, the following:

(A) If you have an operating limit that requires the use of a flow monitoring system, you must meet the requirements in paragraphs (a)(3)(ii)(A)(1) through (4) of this section.

(1) Install the flow sensor and other necessary equipment in a position that provides a representative flow.

(2) Use a flow sensor with a measurement sensitivity of no greater than 2-percent of the expected process flow rate.

(3) Minimize the effects of swirling flow or abnormal velocity distributions due to upstream and downstream disturbances.

(4) Conduct a flow monitoring system performance evaluation in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(B) If you have an operating limit that requires the use of a pressure monitoring system, you must meet the requirements in paragraphs (a)(3)(ii)(B)(1) through (6) of this section.

**SECTION E. Source Group Restrictions.**

(1) Install the pressure sensor(s) in a position that provides a representative measurement of the pressure (e.g., particulate matter scrubber pressure drop).

(2) Minimize or eliminate pulsating pressure, vibration, and internal and external corrosion.

(3) Use a pressure sensor with a minimum tolerance of 1.27 centimeters of water or a minimum tolerance of 1-percent of the pressure monitoring system operating range, whichever is less.

(4) Perform checks at least once each process operating day to ensure pressure measurements are not obstructed (e.g., check for pressure tap pluggage daily).

(5) Conduct a performance evaluation of the pressure monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(6) If at any time the measured pressure exceeds the manufacturer's specified maximum operating pressure range, conduct a performance evaluation of the pressure monitoring system in accordance with your monitoring plan and confirm that the pressure monitoring system continues to meet the performance requirements in your monitoring plan. Alternatively, install and verify the operation of a new pressure sensor.

(C) If you have an operating limit that requires a pH monitoring system, you must meet the requirements in paragraphs (a)(3)(ii)(C)(1) through (4) of this section.

(1) Install the pH sensor in a position that provides a representative measurement of scrubber effluent pH.

(2) Ensure the sample is properly mixed and representative of the fluid to be measured.

(3) Conduct a performance evaluation of the pH monitoring system in accordance with your monitoring plan at least once each process operating day.

(4) Conduct a performance evaluation (including a two-point calibration with one of the two buffer solutions having a pH within 1 of the operating limit pH level) of the pH monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than quarterly.

(D) If you have an operating limit that requires the use of a temperature measurement device, you must meet the requirements in paragraphs (a)(3)(ii)(D)(1) through (4) of this section.

(1) Install the temperature sensor and other necessary equipment in a position that provides a representative temperature.

(2) Use a temperature sensor with a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit), or 1.0-percent of the temperature value, whichever is larger, for a noncryogenic temperature range.

(3) Use a temperature sensor with a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit), or 2.5-percent of the temperature value, whichever is larger, for a cryogenic temperature range.

(4) Conduct a temperature measurement device performance evaluation at the time of each performance test but no less frequently than annually.

(E) If you have an operating limit that requires a secondary electric power monitoring system for an electrostatic precipitator, you must meet the requirements in paragraphs (a)(3)(ii)(E)(1) and (2) of this section.

(1) Install sensors to measure (secondary) voltage and current to the electrostatic precipitator collection plates.

(2) Conduct a performance evaluation of the electric power monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

**SECTION E. Source Group Restrictions.**

(F) If you have an operating limit that requires the use of a monitoring system to measure sorbent injection rate (e.g., weigh belt, weigh hopper or hopper flow measurement device), you must meet the requirements in paragraphs (a)(3)(ii)(F)(1) and (2) of this section.

(1) Install the system in a position(s) that provides a representative measurement of the total sorbent injection rate.

(2) Conduct a performance evaluation of the sorbent injection rate monitoring system in accordance with your monitoring plan at the time of each performance test but no less frequently than annually.

(4) Ongoing operation and maintenance procedures in accordance with the general requirements of §60.11(d) of this chapter.

(5) Ongoing data quality assurance procedures in accordance with the general requirements of §60.13 of this chapter.

(6) Ongoing recordkeeping and reporting procedures in accordance with the general requirements of §60.7(b), (c) introductory text, (c)(1), (c)(4), (d), (e), (f), and (g) of this chapter.

(7) Provisions for periods when the continuous monitoring system is out of control, as follows:

(i) A continuous monitoring system is out of control if the conditions of paragraph (a)(7)(i)(A) or (B) of this section are met.

(A) The zero (low-level), mid-level (if applicable), or high-level calibration drift exceeds two times the applicable calibration drift specification in the applicable performance specification or in the relevant standard.

(B) The continuous monitoring system fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit or linearity test audit.

(ii) When the continuous monitoring system is out of control as specified in paragraph (a)(7)(i) of this section, you must take the necessary corrective action and must repeat all necessary tests that indicate that the system is out of control. You must take corrective action and conduct retesting until the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour you conduct a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements established under this part. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits.

(8) Schedule for conducting initial and periodic performance evaluations of your continuous monitoring systems.

(b) [Not applicable to this facility]

(c) You must conduct an initial performance evaluation of each continuous monitoring system and bag leak detection system, as applicable, in accordance with your monitoring plan and to §60.13(c) of this chapter. For the purpose of this subpart, the provisions of §60.13(c) also apply to the bag leak detection system. You must conduct the initial performance evaluation of each continuous monitoring system within 60 days of installation of the monitoring system

(d) You must submit a monitoring plan specifying the ash handling system operating procedures that you will follow to ensure that you meet the fugitive emissions limit specified in Table 2 or 3 to this subpart.

(e) You may submit an application to the Administrator for approval of alternate monitoring requirements to demonstrate compliance with the standards of this subpart, subject to the provisions of paragraphs (e)(1) through (6) of this section.

(1) The Administrator will not approve averaging periods other than those specified in this section, unless you document, using data or information, that the longer averaging period will ensure that emissions do not exceed levels achieved over the duration of three performance test runs.

(2) If the application to use an alternate monitoring requirement is approved, you must continue to use the original

**SECTION E. Source Group Restrictions.**

monitoring requirement until approval is received to use another monitoring requirement.

(3) You must submit the application for approval of alternate monitoring requirements no later than the notification of performance test. The application must contain the information specified in paragraphs (e)(3)(i) through (iii) of this section:

(i) Data or information justifying the request, such as the technical or economic infeasibility, or the impracticality of using the required approach.

(ii) A description of the proposed alternative monitoring requirement, including the operating parameter to be monitored, the monitoring approach and technique, the averaging period for the limit, and how the limit is to be calculated.

(iii) Data or information documenting that the alternative monitoring requirement would provide equivalent or better assurance of compliance with the relevant emission standard.

(4) The Administrator will notify you of the approval or denial of the application within 90 calendar days after receipt of the original request, or within 60 calendar days of the receipt of any supplementary information, whichever is later. The Administrator will not approve an alternate monitoring application unless it would provide equivalent or better assurance of compliance with the relevant emission standard. Before disapproving any alternate monitoring application, the Administrator will provide the following:

(i) Notice of the information and findings upon which the intended disapproval is based.

(ii) Notice of opportunity for you to present additional supporting information before final action is taken on the application. This notice will specify how much additional time is allowed for you to provide additional supporting information.

(5) You are responsible for submitting any supporting information in a timely manner to enable the Administrator to consider the application prior to the performance test. Neither submittal of an application, nor the Administrator's failure to approve or disapprove the application relieves you of the responsibility to comply with any provision of this subpart.

(6) The Administrator may decide at any time, on a case-by-case basis, that additional or alternative operating limits, or alternative approaches to establishing operating limits, are necessary to demonstrate compliance with the emission standards of this subpart.

(f) You must submit your monitoring plans required in paragraphs (a) and (b) of this section at least 60 days before your initial performance evaluation of your continuous monitoring system(s).

(g) You must submit your monitoring plan for your ash handling system, as required in paragraph (d) of this section, at least 60 days before your initial compliance test date.

(h) You must update and resubmit your monitoring plan if there are any changes or potential changes in your monitoring procedures or if there is a process change, as defined in §62.16045.

[Source: 81 FR 26063, Apr. 29, 2016]

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Table 3 to 40 CFR Part 62 Subpart LLL is incorporated into this permit by reference to the regulation and is available at this web address:

https://www.ecfr.gov/cgi-bin/text-idx?SID=6dd965f9a24ed881a38d9bf1a806fb07&mc=true&node=sp40.10.62.lll&rgn=div6#se40.10.62_116050

022 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16030]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

What reports must I submit?

**SECTION E. Source Group Restrictions.**

You must submit the reports to the Administrator specified in paragraphs (a) through (i) of this section. See Table 6 to this subpart for a summary of these reports.

(a) Final control plan and final compliance report. You must submit the following reports, as applicable:

- (1) A final control plan as specified in §§62.15875 and 62.15900.
- (2) You must submit your notification of achievement of submitting the final control plan and achieving final compliance no later than 10 business days after the compliance date as specified in §§62.15885 and 62.15890.
- (3) If you fail to submit the final control plan and achieve final compliance, you must submit a notification to the Administrator postmarked within 10 business days after the compliance date, as specified in §62.15895.
- (4) If you plan to close your SSI unit rather than comply with the federal plan, submit a closure notification as specified in §62.15915.

(b) Initial compliance report. You must submit the following information no later than 60 days following the initial performance test.

- (1) Company name, physical address and mailing 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.
- (4) The complete test report for the initial performance test results obtained by using the test methods specified in Table 2 or 3 to this subpart.
- (5) If an initial performance evaluation of a continuous monitoring system was conducted, the results of that initial performance evaluation.
- (6) The values for the site-specific operating limits established pursuant to §§62.15960 and 62.15965 and the calculations and methods, as applicable, used to establish each operating limit.
- (7) If you are using a fabric filter to comply with the emission limits, documentation that a bag leak detection system has been installed and is being operated, calibrated, and maintained as required by §62.15960(b).
- (8) The results of the initial air pollution control device inspection required in §62.15990, including a description of repairs.
- (9) The site-specific monitoring plan required under §62.15995, at least 60 days before your initial performance evaluation of your continuous monitoring system.
- (10) The site-specific monitoring plan for your ash handling system required under §62.15995, at least 60 days before your initial performance test to demonstrate compliance with your fugitive ash emission limit.

(c) Annual compliance report. You must submit an annual compliance report that includes the items listed in paragraphs (c)(1) through (16) of this section for the reporting period specified in paragraph (c)(3) of this section. You must submit your first annual compliance report no later than 12 months following the submission of the initial compliance report in paragraph (b) of this section. You must submit subsequent annual compliance reports no more than 12 months following the previous annual compliance report. (You may be required to submit similar or additional compliance information more frequently by the title V operating permit required in §62.16035.)

- (1) Company name, physical address and mailing address.
- (2) Statement by a responsible official, with that official's name, title and signature, certifying the accuracy of the content

**SECTION E. Source Group Restrictions.**

of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If a performance test was conducted during the reporting period, the results of that performance test.

(i) If operating limits were established during the performance test, include the value for each operating limit and, as applicable, the method used to establish each operating limit, including calculations.

(ii) If activated carbon is used during the performance test, include the type of activated carbon used.

(5) For each pollutant and operating parameter recorded using a continuous monitoring system, the highest average value and lowest average value recorded during the reporting period, as follows:

(i) For continuous emission monitoring systems and continuous automated sampling systems, report the highest and lowest 24-hour average emission value.

(ii) For continuous parameter monitoring systems, report the following values:

(A) For all operating parameters except scrubber liquid pH, the highest and lowest 12-hour average values.

(B) For scrubber liquid pH, the highest and lowest 3-hour average values.

(6) If there are no deviations during the reporting period from any emission limit, emission standard or operating limit that applies to you, a statement that there were no deviations from the emission limits, emission standard or operating limits.

(7) Information for bag leak detection systems recorded under §62.16025(f)(3)(iii).

(8) If a performance evaluation of a continuous monitoring system was conducted, the results of that performance evaluation. If new operating limits were established during the performance evaluation, include your calculations for establishing those operating limits.

(9) If you elect to conduct performance tests less frequently as allowed in §62.16000(a)(3) and did not conduct a performance test during the reporting period, you must include the dates of the last two performance tests, a comparison of the emission level you achieved in the last two performance tests to the 75-percent emission limit threshold specified in §62.16000(a)(3), and a statement as to whether there have been any process changes and whether the process change resulted in an increase in emissions.

(10) Documentation of periods when all qualified sewage sludge incineration unit operators were unavailable for more than 8 hours, but less than 2 weeks.

(11) Results of annual air pollution control device inspections recorded under §62.16025(d) for the reporting period, including a description of repairs.

(12) If there were no periods during the reporting period when your continuous monitoring systems had a malfunction, a statement that there were no periods during which your continuous monitoring systems had a malfunction.

(13) If there were no periods during the reporting period when a continuous monitoring system was out of control, a statement that there were no periods during which your continuous monitoring systems were out of control.

(14) If there were no operator training deviations, a statement that there were no such deviations during the reporting period.

(15) If you did not make revisions to your site-specific monitoring plan during the reporting period, a statement that you did not make any revisions to your site-specific monitoring plan during the reporting period. If you made revisions to your site-specific monitoring plan during the reporting period, a copy of the revised plan.

**SECTION E. Source Group Restrictions.**

(16) 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 that occurred during the reporting period and that 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 §60.11(d), including actions taken to correct a malfunction.

(d) Deviation reports.

(1) You must submit a deviation report if:

(i) Any recorded operating parameter level, based on the averaging time specified in Table 4 to this subpart, is above the maximum operating limit or below the minimum operating limit established under this subpart.

(ii) The bag leak detection system alarm sounds for more than 5-percent of the operating time for the 6-month reporting period.

(iii) Any recorded 24-hour block average emissions level is above the emission limit, if a continuous monitoring system is used to comply with an emission limit.

(iv) There are visible emissions of combustion ash from an ash conveying system for more than 5-percent of any compliance test hourly observation period.

(v) A performance test was conducted that deviated from any emission limit in Table 2 or 3 to this subpart.

(vi) A continuous monitoring system was out of control.

(vii) You had a malfunction (e.g., continuous monitoring system malfunction) that caused or may have caused any applicable emission limit to be exceeded.

(2) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

(3) For each deviation where you are using a continuous monitoring system to comply with an associated emission limit or operating limit, report the items described in paragraphs (d)(3)(i) through (vii) of this section.

(i) Company name, physical address and mailing address.

(ii) Statement by a responsible official, with that official's name, title and signature, certifying the accuracy of the content of the report.

(iii) The calendar dates and times your unit deviated from the emission limits, emission standards or operating limits requirements.

(iv) The averaged and recorded data for those dates.

(v) Duration and cause of each deviation from the following:

(A) Emission limits, emission standards, operating limits and your corrective actions.

(B) Bypass events and your corrective actions.

(vi) Dates, times and causes for monitor downtime incidents.

(vii) A copy of the operating parameter monitoring data during each deviation and any test report that documents the emission levels.

**SECTION E. Source Group Restrictions.**

(viii) If there were periods during which the continuous monitoring system malfunctioned or was out of control, you must include the following information for each deviation from an emission limit or operating limit:

(A) The date and time that each malfunction started and stopped.

(B) The date, time and duration that each continuous monitoring system was inoperative, except for zero (low-level) and high-level checks.

(C) The date, time and duration that each continuous monitoring system was out of control, including start and end dates and hours and descriptions of corrective actions taken.

(D) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction, during a period when the system was out of control or during another period.

(E) 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.

(F) 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.

(G) A summary of the total duration of continuous monitoring system downtime during the reporting period, and the total duration of continuous monitoring system downtime as a percent of the total operating time of the SSI unit at which the continuous monitoring system downtime occurred during that reporting period.

(H) An identification of each parameter and pollutant that was monitored at the SSI unit.

(I) A brief description of the SSI unit.

(J) A brief description of the continuous monitoring system.

(K) The date of the latest continuous monitoring system certification or audit.

(L) A description of any changes in continuous monitoring system, processes, or controls since the last reporting period.

(4) For each deviation where you are not using a continuous monitoring system to comply with the associated emission limit or operating limit, report the following items:

(i) Company name, physical address and mailing address.

(ii) Statement by a responsible official, with that official's name, title and signature, certifying the accuracy of the content of the report.

(iii) The total operating time of each affected source during the reporting period.

(iv) The calendar dates and times your unit deviated from the emission limits, emission standards or operating limits requirements.

(v) The averaged and recorded data for those dates.

(vi) Duration and cause of each deviation from the following:

(A) Emission limits, emission standards, operating limits and your corrective actions.

(B) Bypass events and your corrective actions.

(vii) A copy of any performance test report that showed a deviation from the emission limits or standards.

**SECTION E. Source Group Restrictions.**

(viii) A brief description of any malfunction reported in paragraph (d)(1)(vi) of this section, including a description of actions taken during the malfunction to minimize emissions in accordance with §60.11(d) of this chapter and to correct the malfunction.

(e) Qualified operator deviation.

(1) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (e)(1)(i) and (ii) of this section.

(i) Submit a notification of the deviation within 10 days that includes the three items in paragraphs (e)(1)(i)(A) through (C) of this section.

(A) A statement of what caused the deviation.

(B) A description of actions taken to ensure that a qualified operator is accessible.

(C) The date when you anticipate that a qualified operator will be available.

(ii) Submit a status report to the Administrator every 4 weeks that includes the three items in paragraphs (e)(1)(ii)(A) through (C) of this section.

(A) A description of actions taken to ensure that a qualified operator is accessible.

(B) The date when you anticipate that a qualified operator will be accessible.

(C) Request for approval from the Administrator to continue operation of the SSI unit.

(2) If your unit was shut down by the Administrator, under the provisions of §62.15945(b)(2)(i), due to a failure to provide an accessible qualified operator, you must notify the Administrator within five days of meeting §62.15945(b)(2)(ii) that you are resuming operation.

(f) Notification of a force majeure. If a force majeure is about to occur, occurs, or has occurred for which you intend to assert a claim of force majeure:

(1) You must notify the Administrator, in writing as soon as practicable following the date you first knew, or through due diligence, should have known that the event may cause or caused a delay in conducting a performance test beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification must occur as soon as practicable.

(2) You must provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in conducting the performance test beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which you propose to conduct the performance test.

(g) Other notifications and reports required. You must submit other notifications as provided by §60.7 of this chapter and as follows:

(1) You must notify the Administrator 1 month before starting or stopping use of a continuous monitoring system for determining compliance with any emission limit.

(2) You must notify the Administrator at least 30 days prior to any performance test conducted to comply with the provisions of this subpart, to afford the Administrator the opportunity to have an observer present.

(3) As specified in §62.16015(a)(8), you must notify the Administrator at least 7 days prior to the date of a rescheduled performance test for which notification was previously made in paragraph (g)(2) of this section.

(h) Report submission form.

**SECTION E. Source Group Restrictions.**

- (1) Submit initial, annual and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.
- (2) Submit performance tests and evaluations according to paragraphs (h)(2)(i) and (ii) of this section.
- (i) Within 60 days after the date of completing each performance test (see §60.8 of this chapter) required by this subpart, you must submit the results of the performance test according to the method specified by either paragraph (h)(2)(i)(A) or (B) of this section.
- (A) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<http://www.epa.gov/ttn/chief/ert/index.html>), at the time of the test, you must submit the results of the performance test to the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>.) Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site. If you claim that some of the performance test information being transmitted is confidential business information (CBI), you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disk, flash drive, or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT file with the CBI omitted must be submitted to the EPA via CDX as described earlier in this paragraph (h)(2)(i)(A).
- (B) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site, you must submit the results of the performance test to the Administrator at the appropriate address listed in §60.4 of this chapter.
- (ii) Within 60 days after the date of completing each CEMS performance evaluation (as defined in §63.2 of this chapter), you must submit the results of the performance evaluation according to the method specified by either paragraph (h)(2)(ii)(A) or (B) of this section.
- (A) For performance evaluations of continuous monitoring systems measuring relative accuracy test audit (RATA) pollutants that are supported by the EPA's ERT as listed on the EPA's ERT Web site, you must submit the results of the performance evaluation via the CEDRI. (CEDRI can be accessed through the EPA's CDX.) Performance evaluation data must be submitted in a file format generated through the use of the EPA's ERT or an alternate file format consistent with the XML schema listed on the EPA's ERT Web site. If you claim that some of the performance evaluation information being transmitted is CBI, you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disk, flash drive, or other commonly used electronic storage media to the EPA. The electronic storage media must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via CDX as described earlier in this paragraph (h)(2)(ii)(A).
- (B) For any performance evaluations of continuous monitoring systems measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT Web site, you must submit the results of the performance evaluation to the Administrator at the appropriate address listed in §60.4 of this chapter.
- (3) Changing report dates. If the Administrator agrees, you may change the semiannual or annual reporting dates. See §60.19(c) of this chapter for procedures to seek approval to change your reporting date. [Section 60.19(c) is printed in a separate condition in this section of the permit.]

[Source: 81 FR 26063, Apr. 29, 2016]

VI. WORK PRACTICE REQUIREMENTS.

023 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15920]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

What are the operator training and qualification requirements?

**SECTION E. Source Group Restrictions.**

(a) An SSI unit cannot be operated unless a fully trained and qualified SSI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified SSI unit operator may operate the SSI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified SSI unit operators are temporarily not accessible, you must follow the procedures in §62.15945.

(b) Operator training and qualification must be obtained through a state-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section:

(1) Training on the 10 subjects listed in paragraphs (c)(1)(i) through (x) of this section:

(i) Environmental concerns, including types of emissions;

(ii) Basic combustion principles, including products of combustion;

(iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, sewage sludge feeding and shutdown procedures;

(iv) Combustion controls and monitoring;

(v) Operation of air pollution control equipment and factors affecting performance (if applicable);

(vi) Inspection and maintenance of the incinerator and air pollution control devices;

(vii) Actions to prevent malfunctions or to prevent conditions that may lead to malfunctions;

(viii) Bottom and fly ash characteristics and handling procedures;

(ix) Applicable federal, state and local regulations, including Occupational Safety and Health Administration workplace standards; and

(x) Pollution prevention.

(2) An examination designed and administered by the state-approved program or instructor administering the subjects in paragraph (c)(1) of this section.

(3) Written material covering the training course topics that may serve as reference material following completion of the course.

[Source: 81 FR 26063, Apr. 29, 2016]

024 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15925]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****When must the operator training course be completed?**

The operator training course must be completed by the later of the three dates specified in paragraphs (a) through (c) of this section:

(a) The final compliance date; [The final compliance date is March 21, 2016, as printed in §62.15875.]

(b) Six months after your SSI unit startup; and

(c) Six months after an employee assumes responsibility for operating the SSI unit or assumes responsibility for supervising the operation of the SSI unit.

**SECTION E. Source Group Restrictions.**

[Source: 81 FR 26063, Apr. 29, 2016]

025 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15930]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

How do I obtain my operator qualification?

- (a) You must obtain operator qualification by completing a training course that satisfies the criteria under §62.15920(b).
- (b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under §62.15920(c)(2).

[Source: 81 FR 26063, Apr. 29, 2016]

026 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15935]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (a) through (e) of this section:

- (a) Update of regulations;
- (b) Incinerator operation, including startup and shutdown procedures, sewage sludge feeding and ash handling;
- (c) Inspection and maintenance;
- (d) Prevention of malfunctions or conditions that may lead to malfunction; and
- (e) Discussion of operating problems encountered by attendees.

[Source: 81 FR 26063, Apr. 29, 2016]

027 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15940]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification before you begin operation of an SSI unit by one of the two methods specified in paragraphs (a) and (b) of this section:

- (a) For a lapse of less than 3 years, you must complete a standard annual refresher course described in §62.15935; and
- (b) For a lapse of 3 years or more, you must repeat the initial qualification requirements in §62.15920.

[Source: 81 FR 26063, Apr. 29, 2016]

028 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15950]

Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010

What site-specific documentation is required and how often must it be reviewed by qualified operators and plant personnel?

- (a) You must maintain at the facility the documentation of the operator training procedures specified under §62.15920(c)(1) and make the documentation readily accessible to all SSI unit operators.
- (b) You must establish a program for reviewing the information listed in §62.15920(c)(1) with each qualified incinerator operator and other plant personnel who may operate the unit according to the provisions of §62.15945(a), according to the following schedule:

**SECTION E. Source Group Restrictions.**

(1) The initial review of the information listed in §62.15920(c)(1) must be conducted by November 30, 2016, or prior to an employee's assumption of responsibilities for operation of the SSI unit, whichever date is later; and

(2) Subsequent annual reviews of the information listed in §62.15920(c)(1) must be conducted no later than 12 months following the previous review.

[Source: 81 FR 26063, Apr. 29, 2016]

029 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.15990]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****By what date must I conduct the initial air pollution control device inspection and make any necessary repairs?**

(a) You must conduct an air pollution control device inspection according to §62.16015(c) by the final compliance date as specified in §62.15875. For air pollution control devices installed after the final compliance date, you must conduct the air pollution control device inspection within 60 days after installation of the control device.

(b) Within 10 operating days following the air pollution control device inspection under paragraph (a) of this section, all necessary repairs must be completed unless you obtain written approval from the Administrator establishing a date whereby all necessary repairs of the SSI unit must be completed.

[Source: 81 FR 26063, Apr. 29, 2016]

[The final compliance date is March 21, 2016, as specified in §62.15875.]

030 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16010]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****By what date must I conduct annual air pollution control device inspections and make any necessary repairs?**

(a) You must conduct an annual inspection of each air pollution control device used to comply with the emission limits, according to §62.16015(c), no later than 12 months following the previous annual air pollution control device inspection.

(b) Within 10 operating days following an air pollution control device inspection, all necessary repairs must be completed unless you obtain written approval from the Administrator establishing a date whereby all necessary repairs of the affected SSI unit must be completed.

[Source: 81 FR 26063, Apr. 29, 2016]

031 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16015]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What are the performance testing, monitoring, and calibration requirements for compliance with the emission limits and standards?**

You must meet, as applicable, the performance testing requirements specified in paragraph (a) of this section, the monitoring requirements specified in paragraph (b) of this section, the air pollution control device inspections requirements specified in paragraph (c) of this section, and the bypass stack provisions specified in paragraph (d) of this section.

(a) [Paragraph (a) of §62.16015 is printed in this section of the permit under 'Testing Requirements'.]

(b) [Paragraph (b) of §62.16015 is printed in this section of the permit under 'Monitoring Requirements'.]

(c) Air pollution control device inspections. You must conduct air pollution control device inspections that include, at a minimum, the following:

(1) Inspect air pollution control device(s) for proper operation.

(2) Generally observe that the equipment is maintained in good operating condition.

(3) Develop a site-specific monitoring plan according to the requirements in §62.15995. This requirement also applies

**SECTION E. Source Group Restrictions.**

to you if you petition the EPA Administrator for alternative monitoring parameters under §60.13(i) of this chapter.

(d) [Paragraph (d) of §62.16015 is printed in this section of the permit under 'Emission Restrictions']

(e) [Paragraph (e) of §62.16015 is printed in this section of the permit under 'Testing Requirements'.]

[Source: 81 FR 26063, Apr. 29, 2016]

VII. ADDITIONAL REQUIREMENTS.**# 032 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16045]****Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What definitions must I know?**

[Selected definitions from the regulation are printed here. Refer to 40 CFR §63.16045 for remaining definitions applicable to this subpart.]

Terms used but not defined in this subpart are defined in the Clean Air Act and §60.2 of this chapter.

Administrator means:

(1) For units covered by the federal plan, the Administrator of the EPA or his/her authorized representative (e.g., delegated authority).

(2) For units covered by an approved state plan, the director of the state air pollution control agency or his/her authorized representative.

Bypass stack means a device used for discharging combustion gases to avoid severe damage to the air pollution control device or other equipment.

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 limit, operating limit, or operator qualification and accessibility requirements.

(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.

Dioxins/furans means tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans.

Electrostatic precipitator or wet electrostatic precipitator means an air pollution control device that uses both electrical forces and, if applicable, water to remove pollutants in the exit gas from a sewage sludge incinerator stack.

Existing sewage sludge incineration unit means a sewage sludge incineration unit the construction of which is commenced on or before October 14, 2010.

Fluidized bed incinerator means an enclosed device in which organic matter and inorganic matter in sewage sludge are combusted in a bed of particles suspended in the combustion chamber gas.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

Modification means a change to an existing SSI unit later than September 21, 2011 and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50-percent of the original cost of building and installing the SSI unit (not including the cost of land) updated to current costs (current dollars). To determine what systems

**SECTION E. Source Group Restrictions.**

are within the boundary of the SSI unit used to calculate these costs, see the definition of SSI unit.

(2) Any physical change in the SSI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

Modified sewage sludge incineration unit means an existing SSI unit that undergoes a modification, as defined in this section.

Multiple hearth incinerator means a circular steel furnace that contains a number of solid refractory hearths and a central rotating shaft; rabble arms that are designed to slowly rake the sludge on the hearth are attached to the rotating shaft. Dewatered sludge enters at the top and proceeds downward through the furnace from hearth to hearth, pushed along by the rabble arms.

Operating day means a 24-hour period between 12:00 midnight and the following midnight during which any amount of sewage sludge is combusted at any time in the SSI unit.

Particulate matter means filterable particulate matter emitted from SSI units as measured by Method 5 at 40 CFR part 60, appendix A-3, or Methods 26A or 29 at 40 CFR part 60, appendix A-8.

Power input to the electrostatic precipitator means the product of the test-run average secondary voltage and the test-run average secondary amperage to the electrostatic precipitator collection plates.

Process change means a significant permit revision, but only with respect to those pollutant-specific emission units for which the proposed permit revision is applicable, including but not limited to:

(1) A change in the process employed at the wastewater treatment facility associated with the affected SSI unit (e.g., the addition of tertiary treatment at the facility, which changes the method used for disposing of process solids and processing of the sludge prior to incineration).

(2) A change in the air pollution control devices used to comply with the emission limits for the affected SSI unit (e.g., change in the sorbent used for activated carbon injection).

Shutdown means the period of time after all sewage sludge has been combusted in the primary chamber.

Standard conditions, when referring to units of measure, means a temperature of 68 °F (20 °C) and a pressure of 1 atmosphere (101.3 kilopascals).

Startup means the period of time between the activation, including the firing of fuels (e.g., natural gas or distillate oil), of the system and the first feed to the unit.

Toxic equivalency means the product of the concentration of an individual dioxin isomer in an environmental mixture and the corresponding estimate of the compound-specific toxicity relative to tetrachlorinated dibenzo-p-dioxin, referred to as the toxic equivalency factor for that compound. Table 5 to this subpart lists the toxic equivalency factors.

[Source: 81 FR 26063, Apr. 29, 2016]

033 [40 CFR Part 62 Approval and Promulgation of State Plans §40 CFR § 62.16050]**Subpart LLL—Federal Plan Requirements for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010****What authorities will be retained by the EPA Administrator?**

The authorities that will not be delegated to state, local, or tribal agencies are specified in paragraphs (a) through (g) of this section.

(a) Approval of alternatives to the emission limits and standards in Tables 2 and 3 to this subpart and operating limits established under §62.15965 or §62.15985.

**SECTION E. Source Group Restrictions.**

- (b) Approval of major alternatives to test methods.
- (c) Approval of major alternatives to monitoring.
- (d) Approval of major alternatives to recordkeeping and reporting.
- (e) The requirements in §62.15965.
- (f) The requirements in §62.15945(b)(2).
- (g) Performance test and data reduction waivers under §60.8(b) of this chapter.

[SOURCE: 81 FR 26063, Apr. 29, 2016]

***** Permit Shield in Effect. *****

**SECTION F. Alternative Operation Requirements.**

No Alternative Operations exist for this Title V facility.

**SECTION G. Emission Restriction Summary.**

Source Id	Source Description																																																										
031	(2) BOILERS FOR SPACE HEATING - 6 MMBTU/HR EACH																																																										
<table><tr><th>Emission Limit</th><th>Pollutant</th></tr><tr><td>4.000 Lbs/MMBTU</td><td>SOX</td></tr><tr><td>0.400 Lbs/MMBTU</td><td>TSP</td></tr></table>		Emission Limit	Pollutant	4.000 Lbs/MMBTU	SOX	0.400 Lbs/MMBTU	TSP																																																				
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001	SEWAGE SLUDGE INCINERATOR 1																																																										
<table><tr><th>Emission Limit</th><th>Pollutant</th></tr><tr><td>0.022 Lbs per 24-hour period (40 CFR 61.32)</td><td>Beryllium Compounds</td></tr><tr><td>10.000 GRAMS per 24-hour period (40 CFR 61.32)</td><td>Beryllium Compounds</td></tr><tr><td>49.620 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>CO</td></tr><tr><td>3,800.000 PPMV 7% O2, dry basis (60-MMMM & 62-LLL)</td><td>CO</td></tr><tr><td>0.002 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>Cadmium</td></tr><tr><td>0.095 mg/DSCM 7% O2, dry basis (60-MMMM & 62-LLL)</td><td>Cadmium</td></tr><tr><td>0.320 NG/DSCM Dioxins/furans, toxic equivalency basis (60-MMMM & 62-LLL)</td><td>Dibenzofurans</td></tr><tr><td>1.250 mg/Hr Furans For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>Dibenzofurans</td></tr><tr><td>5.000 NG/DSCM Dioxins/furans, total mass basis (60-MMMM & 62-LLL)</td><td>Dibenzofurans</td></tr><tr><td>0.030 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>Hydrochloric Acid</td></tr><tr><td>1.200 PPMV 7% O2, dry basis (60-MMMM & 62-LLL)</td><td>Hydrogen Chloride (Anhydrous)</td></tr><tr><td>0.002 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>Lead</td></tr><tr><td>0.300 mg/DSCM 7% O2, dry basis (60-MMMM & 62-LLL)</td><td>Lead</td></tr><tr><td>0.003 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>Mercury</td></tr><tr><td>0.280 mg/DSCM 7% O2, dry basis (60-MMMM & 62-LLL)</td><td>Mercury</td></tr><tr><td>3.200 kg/Day per 24-hour period (40 CFR 61.52)</td><td>Mercury Compounds</td></tr><tr><td>7.100 Lbs per 24-hour period (40 CFR 61.52)</td><td>Mercury Compounds</td></tr><tr><td>9.960 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>NOX</td></tr><tr><td>53.800 Tons/Yr For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>NOX</td></tr><tr><td>220.000 PPMV 7% O2, dry basis (60-MMMM & 62-LLL)</td><td>NOX</td></tr><tr><td>0.260 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>SOX</td></tr><tr><td>26.000 PPMV 7% O2, dry basis (60-MMMM & 62-LLL)</td><td>SOX</td></tr><tr><td>0.727 mg/Hr Dioxins for sources 001 & 002 combined (Plan Approval 25-179C)</td><td>TCDD</td></tr><tr><td>0.100 gr/DRY FT3 corrected to 12% CO2 (25 Pa Code 123.12)</td><td>TSP</td></tr><tr><td>0.650 GRAMS/kg dry sludge input (40 CFR 60.152)</td><td>TSP</td></tr><tr><td>1.300 Lbs/Tons dry sludge input (40 CFR 60.152)</td><td>TSP</td></tr><tr><td>1.740 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)</td><td>TSP</td></tr><tr><td>80.000 mg/DSCM 7% O2, dry basis (60-MMMM & 62-LLL)</td><td>TSP</td></tr></table>		Emission Limit	Pollutant	0.022 Lbs per 24-hour period (40 CFR 61.32)	Beryllium Compounds	10.000 GRAMS per 24-hour period (40 CFR 61.32)	Beryllium Compounds	49.620 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)	CO	3,800.000 PPMV 7% O2, dry basis (60-MMMM & 62-LLL)	CO	0.002 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)	Cadmium	0.095 mg/DSCM 7% O2, dry basis (60-MMMM & 62-LLL)	Cadmium	0.320 NG/DSCM Dioxins/furans, toxic equivalency basis (60-MMMM & 62-LLL)	Dibenzofurans	1.250 mg/Hr Furans For sources 001 & 002 combined (Plan Approval 25-179C)	Dibenzofurans	5.000 NG/DSCM Dioxins/furans, total mass basis (60-MMMM & 62-LLL)	Dibenzofurans	0.030 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)	Hydrochloric Acid	1.200 PPMV 7% O2, dry basis (60-MMMM & 62-LLL)	Hydrogen Chloride (Anhydrous)	0.002 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)	Lead	0.300 mg/DSCM 7% O2, dry basis (60-MMMM & 62-LLL)	Lead	0.003 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)	Mercury	0.280 mg/DSCM 7% O2, dry basis (60-MMMM & 62-LLL)	Mercury	3.200 kg/Day per 24-hour period (40 CFR 61.52)	Mercury Compounds	7.100 Lbs per 24-hour period (40 CFR 61.52)	Mercury Compounds	9.960 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)	NOX	53.800 Tons/Yr For sources 001 & 002 combined (Plan Approval 25-179C)	NOX	220.000 PPMV 7% O2, dry basis (60-MMMM & 62-LLL)	NOX	0.260 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)	SOX	26.000 PPMV 7% O2, dry basis (60-MMMM & 62-LLL)	SOX	0.727 mg/Hr Dioxins for sources 001 & 002 combined (Plan Approval 25-179C)	TCDD	0.100 gr/DRY FT3 corrected to 12% CO2 (25 Pa Code 123.12)	TSP	0.650 GRAMS/kg dry sludge input (40 CFR 60.152)	TSP	1.300 Lbs/Tons dry sludge input (40 CFR 60.152)	TSP	1.740 kg/Hr For sources 001 & 002 combined (Plan Approval 25-179C)	TSP	80.000 mg/DSCM 7% O2, dry basis (60-MMMM & 62-LLL)	TSP
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**SECTION G. Emission Restriction Summary.**

Source Id	Source Description		
002	SEWAGE SLUDGE INCINERATOR 2		
Emission Limit			Pollutant
0.022	Lbs	per 24-hour period (40 CFR 61.32)	Beryllium Compounds
10.000	GRAMS	per 24-hour period (40 CFR 61.32)	Beryllium Compounds
49.620	kg/Hr	For sources 001 & 002 combined (Plan Approval 25-179C)	CO
3,800.000	PPMV	7% O ₂ , dry basis (60-MMMM & 62-LLL)	CO
0.002	kg/Hr	For sources 001 & 002 combined (Plan Approval 25-179C)	Cadmium
0.095	mg/DSCM	7% O ₂ , dry basis (60-MMMM & 62-LLL)	Cadmium
0.320	NG/DSCM	Dioxins/furans, toxic equivalency basis (60-MMMM & 62-LLL)	Dibenzofurans
1.250	mg/Hr	Furans For sources 001 & 002 combined (Plan Approval 25-179C)	Dibenzofurans
5.000	NG/DSCM	Dioxins/furans, total mass basis (60-MMMM & 62-LLL)	Dibenzofurans
0.030	kg/Hr	For sources 001 & 002 combined (Plan Approval 25-179C)	Hydrochloric Acid
1.200	PPMV	7% O ₂ , dry basis (60-MMMM & 62-LLL)	Hydrogen Chloride (Anhydrous)
0.002	kg/Hr	For sources 001 & 002 combined (Plan Approval 25-179C)	Lead
0.300	mg/DSCM	7% O ₂ , dry basis (60-MMMM & 62-LLL)	Lead
0.003	kg/Hr	For sources 001 & 002 combined (Plan Approval 25-179C)	Mercury
0.280	mg/DSCM	7% O ₂ , dry basis (60-MMMM & 62-LLL)	Mercury
3.200	kg/Day	per 24-hour period (40 CFR 61.52)	Mercury Compounds
7.100	Lbs	per 24-hour period (40 CFR 61.52)	Mercury Compounds
9.960	kg/Hr	For sources 001 & 002 combined (Plan Approval 25-179C)	NOX
53.800	Tons/Yr	For sources 001 & 002 combined (Plan Approval 25-179C)	NOX
220.000	PPMV	7% O ₂ , dry basis (60-MMMM & 62-LLL)	NOX
0.260	kg/Hr	For sources 001 & 002 combined (Plan Approval 25-179C)	SOX
26.000	PPMV	7% O ₂ , dry basis (60-MMMM & 62-LLL)	SOX
0.727	mg/Hr	Dioxins for sources 001 & 002 combined (Plan Approval 25-179C)	TCDD
0.100	gr/DRY FT3	corrected to 12% CO ₂ (25 Pa Code 123.12)	TSP
0.650	GRAMS/kg	dry sludge input (40 CFR 60.152)	TSP
1.300	Lbs/Tons	dry sludge input (40 CFR 60.152)	TSP
1.740	kg/Hr	For sources 001 & 002 combined (Plan Approval 25-179C)	TSP
80.000	mg/DSCM	7% O ₂ , dry basis (60-MMMM & 62-LLL)	TSP
003A	'EXISTING' EMERGENCY GENERATORS, 3 NAT. GAS & 1 DIESEL		
Emission Limit			Pollutant
500.000	PPMV	dry basis	SOX
0.040	gr/DRY FT3		TSP

**SECTION G. Emission Restriction Summary.**

Source Id	Source Description
003B	'NEW' EMERGENCY GENERATORS, NAT. GAS, (2)
Emission Limit	
387.000	GRAMS/HP-Hr
10.000	GRAMS/HP-Hr
500.000	PPMV
0.040	gr/DRY FT3
Pollutant	
CO	
NOX	NOx + HC
SOX	dry basis
TSP	
109	ASH LOADOUT
Emission Limit	
3,800.000	PPMV
0.095	mg/DSCM
0.320	NG/DSCM
5.000	NG/DSCM
1.200	PPMV
0.300	mg/DSCM
0.280	mg/DSCM
220.000	PPMV
26.000	PPMV
80.000	mg/DSCM
Pollutant	
CO	7% O2, dry basis (60-MMMM & 62-LLL)
Cadmium	7% O2, dry basis (60-MMMM & 62-LLL)
Dibenzofurans	Dioxins/furans, toxic equivalency basis (60-MMMM & 62-LLL)
Dibenzofurans	Dioxins/furans, total mass basis (60-MMMM & 62-LLL)
Hydrogen Chloride (Anhydrous)	7% O2, dry basis (60-MMMM & 62-LLL)
Lead	7% O2, dry basis (60-MMMM & 62-LLL)
Mercury	7% O2, dry basis (60-MMMM & 62-LLL)
NOX	7% O2, dry basis (60-MMMM & 62-LLL)
SOX	7% O2, dry basis (60-MMMM & 62-LLL)
TSP	7% O2, dry basis (60-MMMM & 62-LLL)

Site Emission Restriction Summary

Emission Limit	Pollutant
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**SECTION H. Miscellaneous.**

(a) The Capacity/Hour numbers listed on Page 4 and provided in Section D of this permit for individual sources are for informational purposes only and are not to be considered enforceable limits. Enforceable emission limits are listed in the Restriction section for each source. They are also summarized for informational purposes only in Section G.

- (b) Source ID: Department assigned ID number for the source
Source Name: Department assigned name for the source
Capacity: The maximum capacity for the source (not a limit)
Fuel/Material: The fuel/material assigned to SCC for the source

Schematics:

FML: Fuel material location
COMB: Combustion source
INC: Incinerator
PROC: Process
CNTL: Control device
STAC: Stack / Emission point

Pollutants:

H004: Beryllium compounds
H006: Mercury compounds
P000: Particulate matter

- (c) For the purpose of this permit, Source 001 (Sewage Sludge Incinerator #1) exhaust flow is as follows:

Incinerator --> Venturi Scrubber (C001) --> Impingement Scrubber (C001) --> Chevron --> ESP (C001A) --> Stack (S01)

- (d) For the purpose of this permit, Source 002 (Sewage Sludge Incinerator #2) exhaust flow is as follows:

Incinerator --> Venturi Scrubber (C002) --> Impingement Scrubber (C002) --> Chevron --> ESP (C002A) --> Stack (S02)

- (e) For the purpose of this permit, Source 003 (Generators) consists of the following:

- Onan 275 DFBF, 275 kW fired with #2 fuel oil (368 hp)
- Onan 150 GGKD, 150 kW natural gas fueled (201 hp)
- Onan 65 GGHB, 65 kW natural gas fueled (87 hp)
- Cummins/Onan GTA855G2/GFBB, 215 kW natural gas fueled, installed April 2006 (288 hp)

- (f) For the purpose of this permit, the WWTP consists of the following:

1. Grit Screening
 - a) Bar Screens - East Headworks (3)
 - b) Bar Screens - West Headworks (2)
 - c) Grit Chambers - East Headworks (2)
 - d) Grit Chambers - West Headworks (2)
 - e) Overflow Retention Tank (6 MMgal)
2. Primary Treatment
 - a) Primary Treatment Tanks - East (8)
 - b) Primary Treatment Tanks - West (2)
3. Secondary Treatment
 - a) Source 108 - [Four Pass Aeration Tanks (5)]
 - b) Secondary Treatment Tanks - Old
 - c) Secondary Treatment Tanks - New
4. Sludge Handling and Disposal
 - a) Dissolved Air Floation Units (4)
 - b) Mixing/Holding Tank
 - c) Wet Well
 - d) Belt Filter Presses (2)
 - e) Source 001 - [Sewage Sludge Incinerator #1]
 - f) Source 002 - [Sewage Sludge Incinerator #2]
 - g) Source 109 - [Ash handling & disposal RFD approved on Dec. 2, 2011]
5. Maintenance and Ancillary Operations

**SECTION H. Miscellaneous.**

- a) Source 003 - [Generators (4)]
 - b) Source 004 - [#2 Oil Storage Tank (25,000 gal)]
 - c) Space Heaters (7 - natural gas fired)
 - d) Laboratory Operations
 - e) Source 031 - [two natural gas boilers for space heating, 6 million Btu/hr each]
- (g) For the purpose of this permit, Control Device C001 (Venturi & Impingement Scrubbers #1) consists of the following:
1. Venturi scrubber
 2. Impingement scrubber
- (h) For the purpose of this permit, Control Device C002 (Venturi & Impingement Scrubbers #2) consists of the following:
1. Venturi scrubber
 2. Impingement scrubber
- (i) The following sources have minor emissions and no applicable emission, testing, monitoring, recordkeeping or reporting requirements:
1. Sludge conveyors
 2. Ash slurry tanks (2 units)
 3. Jet spray pumps (2 units)
 4. Ash slurry pumps (2 units)
 5. Ash hoppers (2 units - 4 tons capacity)
 6. Ash silo (1 unit - 240 tons capacity)
 7. Caustic storage tanks (4 units - 750 gal/day)
 8. Caustic metering pumps (4 units)
 9. Grit Screening
 - a) Bar Screens - East Headworks (3)
 - b) Bar Screens - West Headworks (2)
 - c) Grit Chambers - East Headworks (2)
 - d) Grit Chambers - West Headworks (2)
 - e) Overflow Retention Tank (6 MMgal)
 10. Primary Treatment
 - a) Primary Treatment Tanks - East (8)
 - b) Primary Treatment Tanks - West (2)
 11. Secondary Treatment
 - a) Secondary Treatment Tanks - Old
 - b) Secondary Treatment Tanks - New
 12. Sludge Handling and Disposal
 - a) Dissolved Air Floation Units (4)
 - b) Mixing/Holding Tank
 - c) Wet Well
 - d) Belt Filter Presses (2)
 13. Maintenance and Ancillary Operations
 - a) #2 Oil Storage Tank (25,000 gal)
 - b) Space heaters fired with natural gas (7 units ~ 1.2 mmbtu/hr total)
 - 1) 400,000 btu
 - 2) 195,000 btu (2 units)
 - 3) 95,000 btu (3 units)
 - 4) 80,000 btu
 - c) Laboratory Operations (3 areas)
- (j) This Operating Permit No. TV 25-00179 was originally issued on July 8, 2002, effective on August 15, 2002, and expires on June 30, 2007.
- (k) This permit was reissued on July 13, 2007.
- (l) This permit was administratively amended on July 10, 2008 to incorporate the conditions from plan approval 25-179A.

**SECTION H. Miscellaneous.**

(m) This permit was administratively amended on December 1, 2008 to incorporate the conditions from plan approval 25-179B and to administratively correct the secondary current limitation for CAM. The two 6 mmbtu/hr boilers (Source 031) were also added to the permit. These boilers were determined to be exempt from plan approval in June 2003.

(n) The following regulations are incorporated into this permit by reference to the regulation.

- 40 CFR §60.5250 -- Definitions applicable to Part 60 Subpart Mmmm;
- 40 CFR Part 60 Subpart Mmmm Table 4 -- Operating Parameters for Existing Sewage Sludge Incineration Units;
- 40 CFR Part 60 Subpart Mmmm Table 5 -- Toxic Equivalency Factors;
- 40 CFR Part 60 Subpart Mmmm Table 6 -- Summary of Reporting Requirements for Existing Sewage Sludge Incineration Units;
- 40 CFR Part 62 Subpart LLL Table 1 -- Compliance Schedule for Existing Sewage Sludge Incineration Units;
- 40 CFR Part 62 Subpart LLL Table 3 -- Emission Limits and Standards for Existing Multiple Hearth Sewage Sludge Incineration Units;
- 40 CFR Part 62 Subpart LLL Table 4 -- Operating Parameters for Existing Sewage Sludge Incineration Units;
- 40 CFR Part 62 Subpart LLL Table 5 -- Toxic Equivalency Factors;
- 40 CFR Part 62 Subpart LLL Table 6 -- Summary of Reporting Requirements for Existing Sewage Sludge Incineration Units.
- 40 CFR §63.6675 -- Definitions applicable to Part 63 Subpart Zzzz;
- 40 CFR Part 63 Subpart Zzzz Table 8 -- Applicability of General Provisions to Subpart Zzzz;

(o) This Title V permit renewal effective May 3, 2013, is issued on May 3, 2013.

A request for Administrative Amendment to incorporate the provisions of plan approval 25-179D, for the approval of an additional emergency generator, is processed with this renewal.

(p) This permit was administratively amended on August 14, 2015 to change the responsible official and permit contacts. The REOFF is Robert K. Munro and the Contact is Basil Ronzitti.

(q) This permit renewal effective July 19, 2019, is issued on July 19, 2019. Processed with this renewal are:

- an April 9, 2019, letter of request for Administrative Amendment to incorporate the conditions of plan approval 25-179C (for modifications to the sewage sludge incinerators); and
- an April 10, 2019, request for Administrative Amendment to change the Responsible Official.

(r) This permit was renewed on October 1, 2025.

(s) This permit was administratively amended and modified on September 17, 2026 to incorporate Plan Approval 25-179E requirements and to remove the compliance schedule in Section C because it is no longer necessary. Plan Approval 25-179E was for modification of both incinerators to go to zero hearth but only Incinerator #001 was modified under the plan approval.



***** End of Report *****
