



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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**Eric J. Holcomb**  
Governor

**Brian C. Rockensuess**  
Commissioner

To: Interested Parties

Date: July 2, 2024

From: Jenny Acker, Chief  
Permits Branch  
Office of Air Quality

Source Name: Weaver Popcorn Company, Inc.

Permit Level: FESOP Administrative Amendment

Permit Number: 053-47788-00033

Source Location: 408 West Landess Street and 4943 N 900 E, Van Buren, Indiana 46991

Type of Action Taken: Changes that are administrative in nature

## Notice of Decision: Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the matter referenced above. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

The final decision is available on the IDEM website at: <http://www.in.gov/apps/idem/caats/>  
To view the document, choose Search Option **by Permit Number**, then enter permit 47788. This search will also provide the application received date and **final** permit issuance date.

The final decision is also available via IDEM's Virtual File Cabinet (VFC). Please go to: <https://www.in.gov/idem> and enter VFC in the search box. You will then have the option to search for permit documents using a variety of criteria.

*(continues on next page)*

If you would like to request a paper copy of the permit document, please contact IDEM's Office of Records Management:

IDEM - Office of Records Management  
Indiana Government Center North, Room 1207  
100 North Senate Avenue  
Indianapolis, IN 46204  
Phone: (317) 232-8667  
Fax: (317) 233-6647  
Email: [IDEMFILEROOM@idem.in.gov](mailto:IDEMFILEROOM@idem.in.gov)

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Indiana Office of Administrative Law Proceedings, 100 N. Senate Avenue Suite N802, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Indiana Office of Administrative Law Proceedings (OALP)
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OALP by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OALP by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.



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**Eric J. Holcomb**  
Governor

**Brian C. Rockensuess**  
Commissioner

July 2, 2024

Mr. Dudley Berthold II  
Weaver Popcorn Company, Inc.  
408 West Landess Street  
Van Buren, IN 46991

Re: 053-47788-00033  
Administrative Amendment to  
FESOP Renewal No. F053-44220-00033

Dear Mr. Berthold:

Weaver Popcorn Company, Inc. was issued a Federally Enforceable State Operating Permit (FESOP) Renewal No. 053-44220-00033 on April 20, 2022 for a stationary grain elevator and popcorn processing plant located at 408 West Landess Street and 4943 N 900 E, Van Buren, Indiana 46991. On April 30, 2024, the Office of Air Quality (OAQ) received an application from the source requesting to remove one (1) tanker tank, two (2) dust collectors, and to construct two (2) new dust collectors.

Pursuant to the provisions of 326 IAC 2-8-10(a), the permit is hereby administratively amended as described in the attached Technical Support Document.

All other conditions of the permit shall remain unchanged and in effect. Please find attached the entire FESOP as amended, including the following revised attachment(s):

Attachment D: 40 CFR 63, Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines *revised*

The permit references the below listed attachment(s). Since these attachments have been provided in previously issued approvals for this source, IDEM OAQ has not included a copy of these attachments with this amendment:

Attachment A: Fugitive Dust Control Plan

Attachment B: 40 CFR 60, Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

Attachment C: 40 CFR 63, Subpart CCCCC, National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities

Previously issued approvals for this source containing these attachments are available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>.

Previously issued approvals for this source are also available via IDEM's Virtual File Cabinet (VFC). To access VFC, please go to: <https://www.in.gov/idem/> and enter VFC in the search box. You will then have the option to search for permit documents using a variety of criteria.

Federal rules under Title 40 of United States Code of Federal Regulations may also be found on the U.S. Government Printing Office's Electronic Code of Federal Regulations (eCFR) website, located on the Internet at: [http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40tab\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40tab_02.tpl).

A copy of the permit is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>. A copy of the application and permit is also available via IDEM's Virtual File Cabinet (VFC). To access VFC, please go to: <https://www.in.gov/idem/> and enter VFC in the search box. You will then have the option to search for permit documents using a variety of criteria. For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on

the Internet at: <https://www.in.gov/idem/airpermit/public-participation/>; and the Citizens' Guide to IDEM on the Internet at: <https://www.in.gov/idem/resources/citizens-guide-to-idem/>.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5.

If you have any questions regarding this matter, please contact Jeffery Grogan, Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251, or by telephone at (317) 234-2111 or (800) 451-6027, and ask for Jeffery Grogan or (317) 234-2111.

Sincerely,



Madhurima D. Moulik, Ph.D., Section Chief  
Permits Branch  
Office of Air Quality

Attachment(s): Updated Permit

cc: File - Grant County  
Grant County Health Department  
U.S. EPA, Region 5  
Compliance and Enforcement Branch



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Commissioner

Federally Enforceable State Operating Permit
Renewal
OFFICE OF AIR QUALITY

Weaver Popcorn Company, Inc.
408 West Landess Street and 4943 N 900 E
Van Buren, Indiana 46991

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

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-8 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

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

Table with 2 columns: Issued by (Original Signed By Madhurima D. Moulik, Ph.D., Section Chief, Permits Branch, Office of Air Quality) and Issuance/Expiration Dates (Issuance Date: April 20, 2022; Expiration Date: April 20, 2032). Includes Operation Permit No. F053-44220-00033 and Master Agency Interest ID: 25850.

Administrative Amendment No. 053-46488-00033, issued on April 19, 2023

Table with 2 columns: Issued by (Madhurima D. Moulik, Ph.D., Section Chief, Permits Branch, Office of Air Quality, with signature) and Issuance/Expiration Dates (Issuance Date: July 2, 2024; Expiration Date: April 20, 2032). Includes Administrative Amendment No. 053-47788-00033.

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- Attachment A - Fugitive Dust Control Plan
- Attachment B - NSPS Subpart JJJJ
- Attachment C - NESHAP Subpart CCCCCC
- Attachment D - NESHAP Subpart ZZZZ

## SECTION A

## SOURCE SUMMARY

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

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

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The Permittee owns and operates a stationary grain elevator and popcorn processing plant.

Source Address:	408 West Landess Street and 4943 N 900 E, Van Buren, Indiana 46991
General Source Phone Number:	(765) 934-2101
SIC Code:	2099 (Food Preparations, Not Elsewhere Classified) 2096 (Potato Chips, Corn Chips and similar snacks)
County Location:	Grant
Source Location Status:	Attainment for all criteria pollutants
Source Status:	Federally Enforceable State Operating Permit Program Minor Source, under PSD Rules Minor Source, Section 112 of the Clean Air Act Not 1 of 28 Source Categories

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

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

#### **Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):**

- (a) One (1) grain elevator operation, identified as Unit 016, consisting of Grain Elevator 1 and 2, constructed in 1985, with a total maximum storage capacity of less than 2.5 million bushels and a maximum throughput of 30 tons per hour, controlled by dust collectors DC1 (exhausting to Stack 001) and DC4 (exhausting to Stack 009), consisting of a grain receiving area, grain drying, internal operations including limited precleaning, closed top paddle drags, a distributor head, bin loading, grain moving by truck, and a grain out-loading operation, identified as Unit 020 or "Feed Bay" with a maximum throughput capacity of 2 tons per hour, controlled by dust collector DC2 (exhausting to Stack 002). The Feed Bay (Unit 020) operation occurs at the same location as the grain receiving operation, but the operations are mutually exclusive. The Feed Bay operation is for loading unused grain on trucks to be shipped offsite to a hog farm.
- (b) Popcorn processing operations, consisting of:
  - (1) One (1) receiving area, identified as Unit 001, constructed in 1985, comprised of covered tanks with a total maximum storage capacity of 130 tons and a maximum throughput of 50 tons per hour, controlled by dust collector DC1, and exhausting to Stack 001.
  - (2) Two (2) screening mills (#1 and #2), identified as Unit 003, constructed in 1985, each with a maximum throughput of 35 tons per hour, controlled by dust collector DC4 and DC9 and exhausting to Stacks 009 and 003 respectively.
  - (3) Four (4) gravity separators, identified as Unit 004 through 007, constructed in 1985, each with a maximum throughput of 10 tons per hour, controlled by dust

collectors DC5, DC3, DC6, and DC8, respectively, with DC5 and DC8 exhausting to Stacks 004 and 007, respectively, and DC3 and DC6 cycling airflow back into Units 005 and 006, respectively.

- (4) Three (3) color sorter units (#1, #2, and #3), identified as Unit 009, constructed in 1985, each with a maximum throughput of 35 tons per hour, controlled by dust collector DC4 (#1 and #2) and DC9 (#3), and exhausting to Stacks 009 and 003.
  - (5) One (1) holding tank area, identified as Unit 010, constructed in 1985, with a maximum throughput of 35 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.
  - (6) One (1) retail packaging area, identified as Unit 012, constructed in 1985, with a maximum throughput of 35 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.
  - (7) One (1) microwave popcorn unit, identified as Unit 013, constructed in 1985, with a maximum throughput of 6.19 tons per hour, controlled by dust collectors DC-10a and DC-10b, and exhausting to Stack 010.
  - (8) One (1) retail packaging system, identified as Unit 015, constructed in 1999, with a maximum throughput of 3.125 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.
  - (9) One (1) destoner machine, identified as Unit 008, with a maximum throughput of 1 ton per hour, controlled by dust collector DC7 and exhausting to Stack 008.
- (c) One hundred sixty-two (162) grain silos, with a total maximum capacity of less than 2.5 million bushels, with a maximum throughput of 500 tons per day.

**Units located in Weaver Contract Manufacturing, Inc. (4943 N 900 E):**

- (d) One (1) microwave popcorn unit, identified as EU-001, constructed in 2005, with a maximum throughput of 12,375 pounds of popcorn per hour, controlled by dust collector DC-001, and exhausting through stack SV-001.

**A.3 Insignificant Activities [326 IAC 2-7-1(21)][326 IAC 2-8-3(c)(3)(I)]**

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This stationary source also includes the following insignificant activities, as defined in 326 IAC 2-7-1(21):

**Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):**

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour, including the following:
  - (1) One (1) natural gas-fired oven, designated as Unit 014, with a maximum heat input capacity of 0.8 MMBtu/hr.
  - (2) Natural gas-fired space heaters, with a total maximum heat input capacity less than 10 MMBtu/hr.
  - (3) Two (2) natural gas-fired rooftop air handling units (AHUs), identified as RTU-1 and RTU-2, with a maximum heat input capacity of 0.4 MMBtu/hr and 0.08 MMBtu/hr, respectively, and approved in 2010 for construction.

- (4) Two (2) natural gas-fired boilers, each with a maximum heat input capacity of 2.1 MMBtu/hr and approved in 2010 for construction.
- (5) One (1) natural gas fired emergency generator, with a maximum capacity of 125 kw (167.6 hp), constructed in 2009.

This emergency generator is considered a new affected source under 40 CFR 60, Subpart JJJJ, and 40 CFR 63, Subpart ZZZZ.

- (b) Vegetable oil storage tanks, identified as Unit 071:
  - (1) Storage tanks with a capacity less than or equal to 1,000 gallons and annual throughputs equal to or less than 12,000 gallons, including ground storage tanks, for the storage of vegetable oils.
  - (2) Two (2) vegetable oil storage tanks, each with a capacity of 2500 gallons, approved in 2010 for construction.
- (c) A gasoline fuel transfer dispensing operation handling less than or equal to 1,300 gallons per day and filling storage tanks having a capacity equal to or less than 10,500 gallons, including one (1) gasoline storage tank, identified as Unit 018, with a maximum capacity of 500 gallons. [40 CFR Part 63, Subpart CCCCCC]
- (d) Three (3) diesel dispensing storage tanks with a storage tank capacity less than or equal to 10,500 gallons and dispensing 3,500 gallons per day or less: including one (1) diesel storage tank, identified as Unit 019, with a maximum capacity of 500 gallons.

**Units located in Weaver Contract Manufacturing, Inc. (4943 N 900 E):**

- (e) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour, including the following:
  - (1) Eight (8) natural gas-fired roof mounted HVAC units, identified as RUT-1 through RUT-8, constructed in 2005, each with a maximum heat input capacity of 0.175 MMBtu/hr.
  - (2) Three (3) natural gas-fired indoor mounted HVAC units, identified as UH-1, UH-2, and UH-3, constructed in 2005, with maximum heat input capacities of 0.2, 0.28, and 0.08 MMBtu/hr.
  - (3) Four (4) natural gas-fired radiant heaters, identified as BNR-3 through BNR-6, constructed in 2005, each with a maximum heat input capacity of 0.06 MMBtu/hr.
- (f) Storage tanks with a capacity less than or equal to 1,000 gallons and annual throughputs equal to or less than 12,000 gallons, constructed in 2005, for storage of edible liquids, including, but not limited to, coconut and/or vegetable oil, butter, flavoring, and other edible liquids.
- (g) This source also includes paved and unpaved roads. [326 IAC 6-4] [326 IAC 6-5]
- (h) One (1) printing press, with a maximum capacity of 2 gallons of ink per hour, using water based inks.

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

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

## SECTION B GENERAL CONDITIONS

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

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

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

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- (a) This permit, F053-44220-00033, is issued for a fixed term of ten (10) years from the issuance date of this permit, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, until the renewal permit has been issued or denied.

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

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

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

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

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

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

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

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

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

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

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- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, the Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Certification [326 IAC 2-8-3(d)][326 IAC 2-8-4(3)(C)(i)][326 IAC 2-8-5(1)]

- (a) A certification required by this permit meets the requirements of 326 IAC 2-8-5(a)(1) if:
- (1) it contains a certification by an "authorized individual", as defined by 326 IAC 2-1.1-1(1), and
  - (2) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) An "authorized individual" is defined at 326 IAC 2-1.1-1(1).

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

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

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

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
- (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent;
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-8-4(3); and
  - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

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

B.10 Compliance Order Issuance [326 IAC 2-8-5(b)]

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

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

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

- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

The Permittee shall implement the PMPs.

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

- (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
- (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
- (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

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

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

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

The Permittee shall implement the PMPs.

(c) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions. The

PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

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

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

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

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

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or  
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)  
Facsimile Number: 317-233-6865

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

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

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-8-4(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;

- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

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

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-8-3(c)(6) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-8 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
  - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
  - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
    - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
    - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw material of substantial economic value.

Any operations shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

**B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5]**

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- (a) All terms and conditions of permits established prior to F053-44220-00033 and issued pursuant to permitting programs approved into the state implementation plan have been either:
  - (1) incorporated as originally stated,

(2) revised, or

(3) deleted.

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

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

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

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

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

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

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

(1) That this permit contains a material mistake.

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

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

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

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

**B.16 Permit Renewal [326 IAC 2-8-3(h)]**

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

Request for renewal shall be submitted to:

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

- (b) A timely renewal application is one that is:
- (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
  - (2) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (c) If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-8 until IDEM, OAQ takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified, pursuant to 326 IAC 2-8-3(g), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

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

- (a) Permit amendments and revisions are governed by the requirements of 326 IAC 2-8-10 or 326 IAC 2-8-11.1 whenever the Permittee seeks to amend or modify this permit.
- (b) Any application requesting an amendment or modification of this permit shall be submitted to:
- Indiana Department of Environmental Management  
Permit Administration and Support Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251
- Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.18 Operational Flexibility [326 IAC 2-8-15][326 IAC 2-8-11.1]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-8-15(b) and (c) without a prior permit revision, if each of the following conditions is met:
- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
  - (2) Any approval required by 326 IAC 2-8-11.1 has been obtained;

(3) The changes do not result in emissions which exceed the limitations provided in this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

(4) The Permittee notifies the:

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

and

United States Environmental Protection Agency, Region 5  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

(5) The Permittee maintains records on-site, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-8-15(b)(1) and (c). The Permittee shall make such records available, upon reasonable request, for public review.

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

- (b) Emission Trades [326 IAC 2-8-15(b)]  
The Permittee may trade emissions increases and decreases at the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-8-15(b).
- (c) Alternative Operating Scenarios [326 IAC 2-8-15(c)]  
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-8-4(7). No prior notification of IDEM, OAQ or U.S. EPA is required.
- (d) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.19 Source Modification Requirement [326 IAC 2-8-11.1]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2.

B.20 Inspection and Entry [326 IAC 2-8-5(a)(2)][IC 13-14-2-2][IC 13-17-3-2][IC 13-30-3-1]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a FESOP source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

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

- (a) The Permittee must comply with the requirements of 326 IAC 2-8-10 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:  
  
Indiana Department of Environmental Management  
Permit Administration and Support Section, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
  
Any such application does require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-8-10(b)(3)]

B.22 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-8-4(6)] [326 IAC 2-8-16][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ no later than thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ the applicable fee is due April 1 of each year.
- (b) Failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-8590 (ask for OAQ, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

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

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

## SECTION C SOURCE OPERATION CONDITIONS

Entire Source

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

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

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

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

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

(a) Pursuant to 326 IAC 2-8:

- (1) The potential to emit any regulated pollutant, except particulate matter (PM), from the entire source shall be limited to less than one hundred (100) tons per twelve (12) consecutive month period.
- (2) The potential to emit any individual hazardous air pollutant (HAP) from the entire source shall be limited to less than ten (10) tons per twelve (12) consecutive month period; and
- (3) The potential to emit any combination of HAPs from the entire source shall be limited to less than twenty-five (25) tons per twelve (12) consecutive month period.

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

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

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

#### C.3 Opacity [326 IAC 5-1]

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

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

Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

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

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

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

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

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

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

C.7 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

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Pursuant to 326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations), fugitive particulate matter emissions shall be controlled according to the attached plan as in Attachment A.

C.8 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]

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- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
  - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
  - (2) If there is a change in the following:
    - (A) Asbestos removal or demolition start date;
    - (B) Removal or demolition contractor; or
    - (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(c).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(d).

All required notifications shall be submitted to:

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

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

- (e) **Procedures for Asbestos Emission Control**  
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**  
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Licensed Asbestos Inspector**  
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos.

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

#### **C.9 Performance Testing [326 IAC 3-6]**

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- (a) For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:  
  
Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
  
no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

## Compliance Requirements [326 IAC 2-1.1-11]

### C.10 Compliance Requirements [326 IAC 2-1.1-11]

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

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

### C.11 Compliance Monitoring [326 IAC 2-8-4(3)][326 IAC 2-8-5(a)(1)]

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

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

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

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

### C.12 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-8-4(3)][326 IAC 2-8-5(1)]

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- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than twenty percent (20%) of full scale. The analog instrument shall be capable of measuring values outside of the normal range.
- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

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

#### **C.13 Risk Management Plan [326 IAC 2-8-4] [40 CFR 68]**

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If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

#### **C.14 Response to Excursions or Exceedances [326 IAC 2-8-4] [326 IAC 2-8-5]**

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

- (a) The Permittee shall take reasonable response steps to restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing excess emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:
  - (1) initial inspection and evaluation;
  - (2) recording that operations returned or are returning to normal without operator action (such as through response by a computerized distribution control system); or
  - (3) any necessary follow-up actions to return operation to normal or usual manner of operation.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
  - (1) monitoring results;
  - (2) review of operation and maintenance procedures and records; and/or
  - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall record the reasonable response steps taken.

#### **C.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-8-4][326 IAC 2-8-5]**

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- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall submit a description of its response actions to IDEM, OAQ no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-8-5(a)(1) by an "authorized individual" as defined by 326 IAC 2-1.1-1(1).

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

#### **C.16 General Record Keeping Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-5]**

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

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

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

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

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

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

#### **C.17 General Reporting Requirements [326 IAC 2-8-4(3)(C)] [326 IAC 2-1.1-11]**

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

- (b) The address for report submittal is:
- Indiana Department of Environmental Management  
Compliance and Enforcement Branch, Office of Air Quality  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ on or before the date it is due.
- (d) Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.

### **Stratospheric Ozone Protection**

#### **C.18 Compliance with 40 CFR 82 and 326 IAC 22-1**

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

## SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

#### Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):

- (a) One (1) grain elevator operation, identified as Unit 016, consisting of Grain Elevator 1 and 2, constructed in 1985, with a total maximum storage capacity of less than 2.5 million bushels and a maximum throughput of 30 tons per hour, controlled by dust collectors DC1 (exhausting to Stack 001) and DC4 (exhausting to Stack 009), consisting of a grain receiving area, grain drying, internal operations including limited precleaning, closed top paddle drags, a distributor head, bin loading, grain moving by truck, and a grain out-loading operation, identified as Unit 020 or "Feed Bay" with a maximum throughput capacity of 2 tons per hour, controlled by dust collector DC2 (exhausting to Stack 002). The Feed Bay (Unit 020) operation occurs at the same location as the grain receiving operation, but the operations are mutually exclusive. The Feed Bay operation is for loading unused grain on trucks to be shipped offsite to a hog farm.
- (b) Popcorn processing operations, consisting of:
  - (1) One (1) receiving area, identified as Unit 001, constructed in 1985, comprised of covered tanks with a total maximum storage capacity of 130 tons and a maximum throughput of 50 tons per hour, controlled by dust collector DC1, and exhausting to Stack 001.
  - (2) Two (2) screening mills (#1 and #2), identified as Unit 003, constructed in 1985, each with a maximum throughput of 35 tons per hour, controlled by dust collector DC4 and DC9 and exhausting to Stacks 009 and 003 respectively.
  - (3) Four (4) gravity separators, identified as Unit 004 through 007, constructed in 1985, each with a maximum throughput of 10 tons per hour, controlled by dust collectors DC5, DC3, DC6, and DC8, respectively, with DC5 and DC8 exhausting to Stacks 004 and 007, respectively, and DC3 and DC6 cycling airflow back into Units 005 and 006, respectively.
  - (4) Three (3) color sorter units (#1, #2, and #3), identified as Unit 009, constructed in 1985, each with a maximum throughput of 35 tons per hour, controlled by dust collector DC4 (#1 and #2) and DC9 (#3), and exhausting to Stacks 009 and 003.
  - (5) One (1) holding tank area, identified as Unit 010, constructed in 1985, with a maximum throughput of 35 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.
  - (6) One (1) retail packaging area, identified as Unit 012, constructed in 1985, with a maximum throughput of 35 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.
  - (7) One (1) microwave popcorn unit, identified as Unit 013, constructed in 1985, with a maximum throughput of 6.19 tons per hour, controlled by dust collectors DC-10a and DC-10b, and exhausting to Stack 010.
  - (8) One (1) retail packaging system, identified as Unit 015, constructed in 1999, with a maximum throughput of 3.125 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.
  - (9) One (1) destoner machine, identified as Unit 008, with a maximum throughput of 1 ton

per hour, controlled by dust collector DC7 and exhausting to Stack 008.

**Units located in Weaver Contract Manufacturing, Inc. (4943 N 900 E):**

- (d) One (1) microwave popcorn unit, identified as EU-001, constructed in 2005, with a maximum throughput of 12,375 pounds of popcorn per hour, controlled by dust collector DC-001, and exhausting through stack SV-001.

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

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

**D.1.1 PSD and Part 70 Minor Limits [326 IAC 2-2] [326 IAC 2-8-4]**

Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, PM, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from the grain elevator and each of the units at the popcorn processing operations shall not exceed the following:

Stack ID	Control Device	PM Emission Limit (lbs/hr)	PM <sub>10</sub> Emission Limit (lbs/hr)	PM <sub>2.5</sub> Emission Limit (lbs/hr)
Stack 001	DC1	2.40	2.11	2.00
FeedBay	DC2	0.03	0.03	0.03
Stack 009	DC4	1.60	1.55	1.52
Stack 008	DC7	0.07	0.07	0.07
Stack 004	DC5	1.88	1.88	1.88
Stack 007	DC8	2.10	2.10	2.10
Stack 003	DC9	3.19	3.19	3.19
Stack 010	DC-10a and DC-10b	0.46	0.46	0.46
SV-001	DC-001	0.09	0.09	0.09

Compliance with these limits, combined with the potential to emit PM, PM<sub>10</sub>, and PM<sub>2.5</sub> from other emission units at the source, shall limit the PM emissions from the entire source to less than two hundred fifty (250) tons per twelve (12) consecutive month period and shall limit the PM<sub>10</sub> and PM<sub>2.5</sub> emissions from the entire source to less than one hundred (100) tons per twelve (12) consecutive month period, each, and shall render the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-7 (Part 70 Program) not applicable.

**D.1.2 Particulate Emission Limitations for Manufacturing Processes [326 IAC 6-3-2]**

Pursuant to 326 IAC 6-3-2, particulate emissions from each of the following operations shall not

exceed the pound per hour limits listed in the table below:

Unit ID	Unit Description	Max. Throughput Rate (tons/hr)	Particulate Emission Limit (lbs/hr)
Unit 016	Grain Elevators	30.0	40.0 (each)
Unit 001	Receiving Area	50.0	44.6
Unit 003	Screening Mills	35.0	41.3 (each)
Units 004 - 007	Separators	10.0	19.2 (each)
Unit 008	Destoner	1	4.1
Unit 009	Color Sorters	35.0	41.3 (each)
Unit 010	Holding Tank	35.0	41.3
Unit 012	Retail Packaging Area	35.0	41.3
Unit 013	Microwave Popcorn Unit	6.19	13.9
Unit 015	Retail Packaging System	3.13	8.81
EU-001	Microwave Popcorn Unit	6.19	13.9

The pounds per hour limitations were calculated using one of the following equations:

Interpolation of the data for the process weight rate up to sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 4.10 P^{0.67} \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

Interpolation and extrapolation of the data for the process weight rate in excess of sixty thousand (60,000) pounds per hour shall be accomplished by use of the equation:

$$E = 55.0 P^{0.11} - 40 \quad \text{where } E = \text{rate of emission in pounds per hour; and} \\ P = \text{process weight rate in tons per hour}$$

**D.1.3 Preventive Maintenance Plan [326 IAC 2-8-4(9)]**

A Preventive Maintenance Plan is required for these facilities and their control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

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

**D.1.4 Particulate Control**

- (a) In order to comply with Condition D.1.1 and D.1.2, the baghouses for particulate control shall be in operation and control emissions from the grain elevator operations and popcorn processing operations at all times the grain elevator operations and popcorn processing operations are in operation.
- (b) In the event that bag failure is observed in a multi-compartment baghouse, if operations will continue for ten (10) days or more after the failure is observed before the failed units will be repaired or replaced, the Permittee shall promptly notify the IDEM, OAQ of the expected date the failed units will be repaired or replaced. The notification shall also include the status of the applicable compliance monitoring parameters with respect to normal, and the results of any response actions taken up to the time of notification.

**D.1.5 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]**

- (a) In order to demonstrate compliance with Conditions D.1.1 and D.1.2, the Permittee shall perform PM, PM<sub>10</sub>, and PM<sub>2.5</sub> testing for dust collectors (DC1, DC4, DC9), utilizing methods as approved by the Commissioner at least once every five (5) years from the

date of the most recent valid compliance demonstration. Testing shall be conducted with all associated units in operation. PM<sub>10</sub> and PM<sub>2.5</sub> includes filterable and condensable PM<sub>10</sub> and PM<sub>2.5</sub>. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this section.

- (b) In order to demonstrate compliance with Conditions D.1.1 and D.1.2, the Permittee shall perform PM, PM<sub>10</sub>, and PM<sub>2.5</sub> testing of the dust collectors listed in Group A utilizing methods as approved by the Commissioner at least once every five (5) years from the date of the most recent valid compliance demonstration on one (1) dust collector from Group A, as specified in the table below. A different representative stack test shall be tested during each compliance testing demonstration until such a time that all baghouse exhausts have been tested. The testing cycle shall then begin again with the first baghouse tested. Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

Group A Emission Units		
Unit ID	Unit Description	Dust Collector ID
Unit 004	Separator #4	DC5
Unit 007	Separator #1	DC8

- (c) In order to demonstrate compliance with Conditions D.1.1 and D.1.2, the Permittee shall perform PM, PM<sub>10</sub>, and PM<sub>2.5</sub> testing of the dust collectors listed in Group B utilizing methods as approved by the Commissioner at least once every five (5) years from the date of the most recent valid compliance demonstration on one (1) dust collector from Group B, as specified in the table below. A different representative stack test shall be tested during each compliance testing demonstration until such a time that all baghouse exhausts have been tested. The testing cycle shall then begin again with the first baghouse tested. Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

Group B Emission Units		
Unit ID	Unit Description	Dust Collector ID
Unit 013	Microwave Popcorn Unit	DC-10a and DC-10b
EU-001	Microwave Popcorn Unit	DC-001

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

#### D.1.6 Visible Emissions Notations

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- (a) Visible emission notations of the stack exhausts from dust collectors DC1, DC4, DC5, DC8, DC9, DC-10a, DC-10b, and DC-001 shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

- (e) If abnormal emissions are observed, the Permittee shall take a reasonable response. Section C - Response to Excursions or Exceedances contains the Permittee's obligation with regard to the reasonable response steps required by this condition. Failure to take response steps shall be considered a deviation from this permit.

#### D.1.7 Broken or Failed Bag Detection

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- (a) For a single compartment baghouses controlling emissions from a process operated continuously, a failed unit and the associated process shall be shut down immediately until the failed unit has been repaired or replaced. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).
- (b) For a single compartment baghouse controlling emissions from a batch process, the feed to the process shall be shut down immediately until the failed unit has been repaired or replaced. The emissions unit shall be shut down no later than the completion of the processing of the material in the line. Operations may continue only if the event qualifies as an emergency and the Permittee satisfies the requirements of the emergency provisions of this permit (Section B - Emergency Provisions).

Bag failure can be indicated by a significant drop in the baghouse's pressure reading with abnormal visible emissions, by an opacity violation, or by other means such as gas temperature, flow rate, air infiltration, leaks, dust traces or triboflows.

### **Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]**

#### D.1.8 Record Keeping Requirements

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- (a) To document the compliance status with Condition D.1.7, the Permittee shall maintain daily records of the visible emission notations of the dust collector stack exhausts. The Permittee shall include in its daily record when a visible emission notation is not taken and the reason for the lack of visible emission notation (e.g. the process did not operate that day).
- (b) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the record required by this condition.

## SECTION D.2 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

#### Insignificant Activities

#### Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):

- (c) A gasoline fuel transfer dispensing operation handling less than or equal to 1,300 gallons per day and filling storage tanks having a capacity equal to or less than 10,500 gallons, including one (1) gasoline storage tank, identified as Unit 018, with a maximum capacity of 500 gallons. [40 CFR Part 63, Subpart CCCCCC]

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

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

#### D.2.1 Avoidance Limit for VOC [326 IAC 8-4-6] [326 IAC 8-4-9]

In order to render the requirements of 326 IAC 8-4-6 and 326 IAC 8-4-9 not applicable to the gasoline storage tank, identified as Unit 018, the monthly gasoline throughput from Unit 018 shall not exceed 10,000 gallons per month. Compliance with this limit will render the requirements of 326 IAC 8-4-6 and 326 IAC 8-4-9 not applicable to Unit 018.

#### D.2.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and their control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

### Record Keeping and Reporting Requirements [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

#### D.2.3 Record Keeping Requirements

- (a) To document the compliance status with Condition D.2.1, the Permittee shall maintain monthly records of gasoline throughput from the gasoline storage tank, identified as Unit 018.
- (b) Section C - General Record Keeping Requirements contains the Permittee's obligation with regard to the records required to be maintained by this condition.

## SECTION D.3 EMISSIONS UNIT OPERATION CONDITIONS

### Emissions Unit Description:

#### Insignificant Activities

#### Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour, including the following:
  - (3) Two (2) natural gas-fired rooftop air handling units (AHUs), identified as RTU-1 and RTU-2, with a maximum heat input capacity of 0.4 MMBtu/hr and 0.08 MMBtu/hr, respectively, and approved in 2010 for construction.
  - (4) Two (2) natural gas-fired boilers, each with a maximum heat input capacity of 2.1 MMBtu/hr, and approved in 2010 for construction.
- (e) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour, including the following:
  - (1) Eight (8) natural gas-fired roof mounted HVAC units, identified as RUT-1 through RUT-8, constructed in 2005, each with a maximum heat input capacity of 0.175 MMBtu/hr.
  - (2) Three (3) natural gas-fired indoor mounted HVAC units, identified as UH-1, UH-2, and UH-3, constructed in 2005, with maximum heat input capacities of 0.2, 0.28, and 0.08 MMBtu/hr.

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

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

#### D.3.1 Particulate Emissions [326 IAC 6-2-4]

Pursuant to 326 IAC 6-2-4 (Particulate Emission Limitations for Sources of Indirect Heating), PM emissions from the indirect natural gas-fired units listed above shall be limited to 0.6 pounds per MMBtu heat input.

#### D.3.2 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for these facilities and their control devices. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

## SECTION E.1

## NSPS

### Emissions Unit Description:

#### Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) Btu per hour, including the following:
- (5) One (1) natural gas fired emergency generator, with a maximum capacity of 125 kw (167.6 hp), constructed in 2009.

This emergency generator is considered a new affected source under 40 CFR 60, Subpart JJJJ, and 40 CFR 63, Subpart ZZZZ.

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

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

#### E.1.1 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for this facility and its control device. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

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

#### E.1.2 General Provisions Relating to New Source Performance Standards [326 IAC 12-1] [40 CFR Part 60, Subpart A]

- (a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1, for the emission unit(s) listed above, except as otherwise specified in 40 CFR Part 60, Subpart JJJJ.
- (b) Pursuant to 40 CFR 60.4, the Permittee shall submit all required notifications and reports to:

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

#### E.1.3 New Source Performance Standards for Stationary Spark Ignition Internal Combustion Engines NSPS [326 IAC 12] [40 CFR Part 60, Subpart JJJJ]

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

- (1) 40 CFR 60.4230(a)(3)(iii, iv), (4)(iii, iv), (6), (c), and (e)  
(2) 40 CFR 60.4233(d), (e), (g), (h)  
(3) 40 CFR 60.4234  
(4) 40 CFR 60.4236(a), (c), (d)  
(5) 40 CFR 60.4237(c)  
(6) 40 CFR 60.4243(b)(2)(i), (d)(1, 2, and 3), (e), (f) and (g)

- (7) 40 CFR 60.4244
- (8) 40 CFR 60.4245(a), (b), (d), (e)
- (9) 40 CFR 60.4246
- (10) 40 CFR 60.4248
- (11) Table 1
- (12) Table 2
- (13) Table 3

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

#### **E.1.4 Testing Requirements [326 IAC 2-1.1-11] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]**

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In order to document the compliance status with Condition E.1.2, the Permittee shall perform the testing required under 40 CFR 60, Subpart JJJJ, utilizing methods as approved by the Commissioner, at least once every five (5) years from the date of the most recent valid compliance demonstration. Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

## SECTION E.2

## NESHAP

### Emissions Unit Description:

#### Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):

- (c) A gasoline fuel transfer dispensing operation handling less than or equal to 1,300 gallons per day and filling storage tanks having a capacity equal to or less than 10,500 gallons, including one (1) gasoline storage tank, identified as Unit 018, with a maximum capacity of 500 gallons. [40 CFR Part 63, Subpart CCCCCC]

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

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

#### E.2.1 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan is required for this facility and its control device. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

### National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-8-4(1)]

#### E.2.2 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1] [40 CFR Part 63, Subpart A]

- (a) Pursuant to 40 CFR 63.1 the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1, for the emission unit(s) listed above, except as otherwise specified in 40 CFR Part 63, Subpart CCCCCC.

- (b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

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

#### E.2.3 National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities NESHAP [40 CFR Part 63, Subpart CCCCCC] [326 IAC 20-1]

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart CCCCCC (included as Attachment C to the operating permit), which are incorporated by reference as 326 IAC 20-1, for the emission unit(s) listed above:

- (1) 40 CFR 63.11110;
- (2) 40 CFR 63.11111(a), (b), (e), (h), (i), (j);
- (3) 40 CFR 63.11112(a), (d);
- (4) 40 CFR 63.11113(b), (c);
- (5) 40 CFR 63.11115);
- (6) 40 CFR 63.11116;
- (7) 40 CFR 63.11125(d);
- (8) 40 CFR 63.11126(b);
- (9) 40 CFR 63.11130;

- (10) 40 CFR 63.11131; and
- (11) 40 CFR 63.11132.

## SECTION E.3

## NESHAP

### Emissions Unit Description:

#### Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):

- (5) One (1) natural gas fired emergency generator, with a maximum capacity of 125 kw (167.6 hp), constructed in 2009.

This emergency generator is considered a new affected source under 40 CFR 60, Subpart JJJJ, and 40 CFR 63, Subpart ZZZZ.

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

### National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-8-4(1)]

#### E.3.1 National Emissions Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines NESHAP [40 CFR Part 63, Subpart ZZZZ] [326 IAC 20-82]

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart ZZZZ (included as Attachment D to the operating permit), which are incorporated by reference as 326 IAC 20-82, for the emission unit(s) listed above:

- (1) 40 CFR 63.6580
- (2) 40 CFR 63.6585
- (3) 40 CFR 63.6590(a)(2)(iii) and (c)(1)
- (4) 40 CFR 63.6595(a)(7)
- (5) 40 CFR 63.6665
- (6) 40 CFR 63.6670
- (7) 40 CFR 63.6675

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE AND ENFORCEMENT BRANCH**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
CERTIFICATION**

Source Name: Weaver Popcorn Company, Inc.  
Source Address: 408 West Landess Street and 4943 N 900 E, Van Buren, Indiana 46991  
FESOP Permit No.: F053-44220-00033

**This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.**

Please check what document is being certified:

- Annual Compliance Certification Letter
- Test Result (specify) \_\_\_\_\_
- Report (specify) \_\_\_\_\_
- Notification (specify) \_\_\_\_\_
- Affidavit (specify) \_\_\_\_\_
- Other (specify) \_\_\_\_\_

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

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE AND ENFORCEMENT BRANCH  
100 North Senate Avenue  
MC 61-53 IGCN 1003  
Indianapolis, Indiana 46204-2251  
Phone: (317) 233-0178  
Fax: (317) 233-6865**

**FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
EMERGENCY OCCURRENCE REPORT**

Source Name: Weaver Popcorn Company, Inc.  
Source Address: 408 West Landess Street and 4943 N 900 E, Van Buren, Indiana 46991  
FESOP Permit No.: F053-44220-00033

**This form consists of 2 pages**

**Page 1 of 2**

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

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

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency:
Describe the cause of the Emergency:

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

**Page 2 of 2**

Date/Time Emergency started:		
Date/Time Emergency was corrected:		
Was the facility being properly operated at the time of the emergency?	Y	N
Type of Pollutants Emitted: TSP, PM-10, SO <sub>2</sub> , VOC, NO <sub>x</sub> , CO, Pb, other:		
Estimated amount of pollutant(s) emitted during emergency:		
Describe the steps taken to mitigate the problem:		
Describe the corrective actions/response steps taken:		
Describe the measures taken to minimize emissions:		
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:		

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE AND ENFORCEMENT BRANCH  
 FEDERALLY ENFORCEABLE STATE OPERATING PERMIT (FESOP)  
 QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: Weaver Popcorn Company, Inc.  
 Source Address: 408 West Landess Street and 4943 N 900 E, Van Buren, Indiana 46991  
 FESOP Permit No.: F053-44220-00033

**Months:** \_\_\_\_\_ **to** \_\_\_\_\_ **Year:** \_\_\_\_\_

<p>This report shall be submitted quarterly based on a calendar year. Proper notice submittal under Section B - Emergency Provisions satisfies the reporting requirements of paragraph (a) of Section C- General Reporting. Any deviation from the requirements of this permit, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<input type="checkbox"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.	
<input type="checkbox"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

<b>Permit Requirement (specify permit condition #)</b>	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement (specify permit condition #)</b>	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement (specify permit condition #)</b>	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

Form Completed by: \_\_\_\_\_

Title / Position: \_\_\_\_\_

Date: \_\_\_\_\_

Phone: \_\_\_\_\_

## Attachment D

### Federally Enforceable State Operating Permit (FESOP) No: F053-44220-00033

[Downloaded from the eCFR on June 1, 2023]

#### Electronic Code of Federal Regulations

#### Title 40: Protection of Environment

#### PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

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

SOURCE: 69 FR 33506, June 15, 2004, unless otherwise noted.

#### What This Subpart Covers

#### § 63.6580 What is the purpose of subpart ZZZZ?

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

[73 FR 3603, Jan. 18, 2008]

#### § 63.6585 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) An area source of HAP emissions is a source that is not a major source.

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

(e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.

(f) The emergency stationary RICE listed in paragraphs (f)(1) through (3) of this section are not subject to this subpart. The stationary RICE must meet the definition of an emergency stationary RICE in § 63.6675, which includes operating according to the provisions specified in § 63.6640(f).

(1) Existing residential emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

(2) Existing commercial emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

(3) Existing institutional emergency stationary RICE located at an area source of HAP emissions that do not operate for the purpose specified in § 63.6640(f)(4)(ii).

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

**§ 63.6590 What parts of my plant does this subpart cover?**

This subpart applies to each affected source.

(a) **Affected source.** An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

**(1) Existing stationary RICE.**

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

(ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

**(2) New stationary RICE.**

(i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

**(3) Reconstructed stationary RICE.**

(i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

**(b) Stationary RICE subject to limited requirements.**

(1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(f).

(i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(f) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

(3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:

(i) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

**(c) Stationary RICE subject to Regulations under 40 CFR Part 60.** An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

(1) A new or reconstructed stationary RICE located at an area source;

(2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;

(4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(5) A new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

**§ 63.6595 When do I have to comply with this subpart?**

**(a) *Affected sources.***

(1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations, operating limitations, and other requirements no later than October 19, 2013.

(2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.

(3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(b) **Area sources that become major sources.** If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.

(1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.

(2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

(c) If you own or operate an affected source, you must meet the applicable notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

[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 6701, Jan. 30, 2013]

### **Emission and Operating Limitations**

#### **§ 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?**

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.

(b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

(c) If you own or operate any of the following stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a, 2a, 2c, and 2d to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE; an existing 4SLB stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

(d) If you own or operate an existing non-emergency stationary CI RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010]

**§ 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?**

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart. If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at major source of HAP emissions manufactured on or after January 1, 2008, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010]

**§ 63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?**

If you own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations and other requirements in Table 2c to this subpart which apply to you. Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

[78 FR 6701, Jan. 30, 2013]

**§ 63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?**

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.

(b) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meets either paragraph (b)(1) or (2) of this section, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. Existing stationary non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP that meet either paragraph (b)(1) or (2) of this section must meet the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart.

(1) The area source is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS).

(2) The stationary RICE is located at an area source that meets paragraphs (b)(2)(i), (ii), and (iii) of this section.

(i) The only connection to the FAHS is through the Alaska Marine Highway System (AMHS), or the stationary RICE operation is within an isolated grid in Alaska that is not connected to the statewide electrical grid referred to as the Alaska Railbelt Grid.

(ii) At least 10 percent of the power generated by the stationary RICE on an annual basis is used for residential purposes.

(iii) The generating capacity of the area source is less than 12 megawatts, or the stationary RICE is used exclusively for backup power for renewable energy.

(c) If you own or operate an existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf (OCS) source as defined in 40 CFR 55.2, you do not have to meet the numerical CO emission limitations specified in Table 2d of this subpart. You must meet all of the following management practices:

(1) Change oil every 1,000 hours of operation or annually, whichever comes first. Sources have the option to utilize an oil analysis program as described in § 63.6625(i) in order to extend the specified oil change requirement.

(2) Inspect and clean air filters every 750 hours of operation or annually, whichever comes first, and replace as necessary.

(3) Inspect fuel filters and belts, if installed, every 750 hours of operation or annually, whichever comes first, and replace as necessary.

(4) Inspect all flexible hoses every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.

(d) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and that is subject to an enforceable state or local standard that requires the engine to be replaced no later than June 1, 2018, you may until January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018, choose to comply with the management practices that are shown for stationary non-emergency CI RICE with a site rating of less than or equal to 300 HP in Table 2d of this subpart instead of the applicable emission limitations in Table 2d, operating limitations in Table 2b, and crankcase ventilation system requirements in § 63.6625(g). You must comply with the emission limitations in Table 2d and operating limitations in Table 2b that apply for non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018. You must also comply with the crankcase ventilation system requirements in § 63.6625(g) by January 1, 2015, or 12 years after the installation date of the engine (whichever is later), but not later than June 1, 2018.

(e) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 3 (Tier 2 for engines above 560 kilowatt (kW)) emission standards in Table 1 of 40 CFR 89.112, you may comply with the requirements under this part by meeting the requirements for Tier 3 engines (Tier 2 for engines above 560 kW) in 40 CFR part 60 subpart IIII instead of the emission limitations and other requirements that would otherwise apply under this part for existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions.

(f) An existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP must meet the definition of remote stationary RICE in § 63.6675 on the initial compliance date for the engine, October 19, 2013, in order to be considered a remote stationary RICE under this subpart. Owners and operators of existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that meet the definition of remote stationary RICE in § 63.6675 of this subpart as of October 19, 2013 must evaluate the status of their stationary RICE every 12 months. Owners and operators must keep records of the initial and annual evaluation of the status of the engine. If the evaluation indicates that the stationary RICE no longer meets the definition of remote stationary RICE in § 63.6675 of this subpart, the owner or operator must comply with all of the requirements for existing non-emergency SI 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at area sources of HAP that are not remote stationary RICE within 1 year of the evaluation.

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013]

**§ 63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?**

(a) If you own or operate an existing non-emergency, non-black start CI stationary RICE with a site rating of more than 300 brake HP with a displacement of less than 30 liters per cylinder that uses diesel fuel, you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel.

(b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.

(c) [Reserved]

(d) Existing CI stationary RICE located in Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2), or are on offshore vessels that meet § 63.6603(c) are exempt from the requirements of this section.

[78 FR 6702, Jan. 30, 2013, as amended at 85 FR 78463, Dec. 4, 2020; 87 FR 48607, Aug. 10, 2022]

**General Compliance Requirements**

**§ 63.6605 What are my general requirements for complying with this subpart?**

(a) You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[75 FR 9675, Mar. 3, 2010, as amended at 78 FR 6702, Jan. 30, 2013]

**Testing and Initial Compliance Requirements**

**§ 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?**

If you own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).

(b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).

(c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to § 63.7(a)(2)(ix).

(d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

(5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3605, Jan. 18, 2008]

**§ 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?**

If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must conduct an initial performance test within 240 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions specified in Table 4 to this subpart, as appropriate.

[73 FR 3605, Jan. 18, 2008, as amended at 75 FR 51589, Aug. 20, 2010]

**§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?**

If you own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in § 63.6595 and according to the provisions in § 63.7(a)(2).

(b) An owner or operator is not required to conduct an initial performance test on a unit for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (4) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

[75 FR 9676, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010]

**§ 63.6615 When must I conduct subsequent performance tests?**

If you must comply with the emission limitations and operating limitations, you must conduct subsequent performance tests as specified in Table 3 of this subpart.

**§ 63.6620 What performance tests and other procedures must I use?**

(a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.

(b) Each performance test must be conducted according to the requirements that this subpart specifies in Table 4 to this subpart. If you own or operate a non-operational stationary RICE that is subject to performance testing, you do not need to start up the engine solely to conduct the performance test. Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load for the stationary RICE listed in paragraphs (b)(1) through (4) of this section.

(1) Non-emergency 4SRB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(2) New non-emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP located at a major source of HAP emissions.

(3) New non-emergency 2SLB stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(4) New non-emergency CI stationary RICE with a site rating of greater than 500 brake HP located at a major source of HAP emissions.

(c) [Reserved]

(d) You must conduct three separate test runs for each performance test required in this section, as specified in § 63.7(e)(3). Each test run must last at least 1 hour, unless otherwise specified in this subpart.

(e)

(1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \quad (\text{Eq. 1})$$

Where:

C<sub>i</sub> = concentration of carbon monoxide (CO), total hydrocarbons (THC), or formaldehyde at the control device inlet,

$C_o$  = concentration of CO, THC, or formaldehyde at the control device outlet, and

R = percent reduction of CO, THC, or formaldehyde emissions.

(2) You must normalize the CO, THC, or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO<sub>2</sub>). If pollutant concentrations are to be corrected to 15 percent oxygen and CO<sub>2</sub> concentration is measured in lieu of oxygen concentration measurement, a CO<sub>2</sub> correction factor is needed. Calculate the CO<sub>2</sub> correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

(i) Calculate the fuel-specific  $F_o$  value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

$$F_o = \frac{0.209 F_d}{F_c} \quad (\text{Eq. 2})$$

Where:

$F_o$  = Fuel factor based on the ratio of oxygen volume to the ultimate CO<sub>2</sub> volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is oxygen, percent/100.

$F_d$  = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm<sup>3</sup>/J (dscf/10<sup>6</sup> Btu).

$F_c$  = Ratio of the volume of CO<sub>2</sub> produced to the gross calorific value of the fuel from Method 19, dsm<sup>3</sup>/J (dscf/10<sup>6</sup> Btu)

(ii) Calculate the CO<sub>2</sub> correction factor for correcting measurement data to 15 percent O<sub>2</sub>, as follows:

$$X_{CO_2} = \frac{5.9}{F_o} \quad (\text{Eq. 3})$$

Where:

$X_{CO_2}$  = CO<sub>2</sub> correction factor, percent.

5.9 = 20.9 percent O<sub>2</sub> - 15 percent O<sub>2</sub>, the defined O<sub>2</sub> correction value, percent.

(iii) Calculate the CO, THC, and formaldehyde gas concentrations adjusted to 15 percent O<sub>2</sub> using CO<sub>2</sub> as follows:

$$C_{adj} = C_d \frac{X_{CO_2}}{\%CO_2} \quad (\text{Eq. 4})$$

Where:

$C_{adj}$  = Calculated concentration of CO, THC, or formaldehyde adjusted to 15 percent O<sub>2</sub>.

$C_d$  = Measured concentration of CO, THC, or formaldehyde, uncorrected.

$X_{CO_2}$  = CO<sub>2</sub> correction factor, percent.

%CO<sub>2</sub> = Measured CO<sub>2</sub> concentration measured, dry basis, percent.

(f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.

(g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limitations;

(2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;

(3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.

(1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (e.g., operator adjustment, automatic controller adjustment, etc.) or unintentionally (e.g., wear and tear, error, etc.) on a routine basis or over time;

(2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;

(3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;

(4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;

(5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;

(6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

(7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.

(i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9676, Mar. 3, 2010; 78 FR 6702, Jan. 30, 2013]

**§ 63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?**

(a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either O<sub>2</sub> or CO<sub>2</sub> according to the requirements in paragraphs (a)(1) through (4) of this section. If you are meeting a requirement to reduce CO emissions, the CEMS must be installed at both the inlet and outlet of the control device. If you are meeting a requirement to limit the concentration of CO, the CEMS must be installed at the outlet of the control device.

(1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.

(2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in § 63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

(3) As specified in § 63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.

(4) The CEMS data must be reduced as specified in § 63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO<sub>2</sub> concentration.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in paragraphs (b)(1) through (6) of this section. For an affected source that is complying with the emission limitations and operating limitations on March 9, 2011, the requirements in paragraph (b) of this section are applicable September 6, 2011.

(1) You must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in paragraphs (b)(1)(i) through (v) of this section and in § 63.8(d). As specified in § 63.8(f)(4), you may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs (b)(1) through (5) of this section in your site-specific monitoring plan.

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with provisions in § 63.8(c)(1)(ii) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in § 63.10(c), (e)(1), and (e)(2)(i).

(2) You must install, operate, and maintain each CPMS in continuous operation according to the procedures in your site-specific monitoring plan.

(3) The CPMS must collect data at least once every 15 minutes (see also § 63.6635).

(4) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(5) You must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in your site-specific monitoring plan at least annually.

(6) You must conduct a performance evaluation of each CPMS in accordance with your site-specific monitoring plan.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.

(d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.

(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(1) An existing stationary RICE with a site rating of less than 100 HP located at a major source of HAP emissions;

(2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;

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

(4) An existing non-emergency, non-black start stationary CI RICE with a site rating less than or equal to 300 HP located at an area source of HAP emissions;

(5) An existing non-emergency, non-black start 2SLB stationary RICE located at an area source of HAP emissions;

(6) An existing non-emergency, non-black start stationary RICE located at an area source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.

(7) An existing non-emergency, non-black start 4SLB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4SRB stationary RICE with a site rating less than or equal to 500 HP located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4SLB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4SRB stationary RICE with a site rating greater than 500 HP located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(g) If you own or operate an existing non-emergency, non-black start CI engine greater than or equal to 300 HP that is not equipped with a closed crankcase ventilation system, you must comply with either paragraph (g)(1) or paragraph (2) of this section. Owners and operators must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. Existing CI engines located at area sources in areas of Alaska that meet either § 63.6603(b)(1) or § 63.6603(b)(2) do not have to meet the requirements of this paragraph (g). Existing CI engines located on offshore vessels that meet § 63.6603(c) do not have to meet the requirements of this paragraph (g).

(1) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or

(2) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of Table 2c to this subpart or in items 5, 6, 7, 9, or 11 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not

exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[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 6703, Jan. 30, 2013]

**§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?**

- (a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart.
- (b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.
- (c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in § 63.6645.
- (d) Non-emergency 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more can demonstrate initial compliance with the formaldehyde emission limit by testing for THC instead of formaldehyde. The testing must be conducted according to the requirements in Table 4 of this subpart. The average reduction of emissions of THC determined from the performance test must be equal to or greater than 30 percent.
- (e) The initial compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
  - (1) The compliance demonstration must consist of at least three test runs.
  - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
  - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
  - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.
  - (5) You must measure O<sub>2</sub> using one of the O<sub>2</sub> measurement methods specified in Table 4 of this subpart. Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for CO or THC concentration.
  - (6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O<sub>2</sub> emissions simultaneously at the inlet and outlet of the control device.

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

## Continuous Compliance Requirements

### § 63.6635 How do I monitor and collect data to demonstrate continuous compliance?

- (a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.
- (b) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, you must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
- (c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

[69 FR 33506, June 15, 2004, as amended at 76 FR 12867, Mar. 9, 2011]

### § 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

- (a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.
- (b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in § 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.
- (c) The annual compliance demonstration required for existing non-emergency 4SLB and 4SRB stationary RICE with a site rating of more than 500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year must be conducted according to the following requirements:
  - (1) The compliance demonstration must consist of at least one test run.
  - (2) Each test run must be of at least 15 minute duration, except that each test conducted using the method in appendix A to this subpart must consist of at least one measurement cycle and include at least 2 minutes of test data phase measurement.
  - (3) If you are demonstrating compliance with the CO concentration or CO percent reduction requirement, you must measure CO emissions using one of the CO measurement methods specified in Table 4 of this subpart, or using appendix A to this subpart.
  - (4) If you are demonstrating compliance with the THC percent reduction requirement, you must measure THC emissions using Method 25A, reported as propane, of 40 CFR part 60, appendix A.
  - (5) You must measure O<sub>2</sub> using one of the O<sub>2</sub> measurement methods specified in Table 4 of this subpart. Measurements to determine O<sub>2</sub> concentration must be made at the same time as the measurements for CO or THC concentration.

(6) If you are demonstrating compliance with the CO or THC percent reduction requirement, you must measure CO or THC emissions and O<sub>2</sub> emissions simultaneously at the inlet and outlet of the control device.

(7) If the results of the annual compliance demonstration show that the emissions exceed the levels specified in Table 6 of this subpart, the stationary RICE must be shut down as soon as safely possible, and appropriate corrective action must be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The stationary RICE must be retested within 7 days of being restarted and the emissions must meet the levels specified in Table 6 of this subpart. If the retest shows that the emissions continue to exceed the specified levels, the stationary RICE must again be shut down as soon as safely possible, and the stationary RICE may not operate, except for purposes of startup and testing, until the owner/operator demonstrates through testing that the emissions do not exceed the levels specified in Table 6 of this subpart.

(d) For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a).

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

(f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, 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 the purpose specified in paragraph (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) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) of this

section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing 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.

(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 6704, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

## **Notifications, Reports, and Records**

### **§ 63.6645 What notifications must I submit and when?**

(a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following;

(1) An existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

(2) An existing stationary RICE located at an area source of HAP emissions.

(3) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(4) A new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions.

(5) This requirement does not apply if you own or operate an existing stationary RICE less than 100 HP, an existing stationary emergency RICE, or an existing stationary RICE that is not subject to any numerical emission standards.

(b) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an Initial Notification not later than December 13, 2004, or no later than 120 days after the source becomes subject to this subpart, whichever is later.

(c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(d) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an Initial Notification not later than July 16, 2008, or no later than 120 days after the source becomes subject to this subpart, whichever is later.

(e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008 and you are required to submit an initial notification, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with § 63.6590(b), your notification should include the information in § 63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).

(g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in § 63.7(b)(1).

(h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii).

(1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.

(2) For each initial compliance demonstration required in Table 5 to this subpart that includes a performance test conducted according to the requirements in Table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to § 63.10(d)(2).

(i) If you own or operate an existing non-emergency CI RICE with a site rating of more than 300 HP located at an area source of HAP emissions that is certified to the Tier 1 or Tier 2 emission standards in Table 1 of 40 CFR 89.112 and subject to an enforceable state or local standard requiring engine replacement and you intend to meet management practices rather than emission limits, as specified in § 63.6603(d), you must submit a notification by March 3, 2013, stating that you intend to use the provision in § 63.6603(d) and identifying the state or local regulation that the engine is subject to.

**§ 63.6650 What reports must I submit and when?**

(a) You must submit each report in Table 7 of this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.

(1) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in § 63.6595.

(2) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in § 63.6595.

(3) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section.

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in § 63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a

description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction.

(5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.

(6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

(d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section.

(1) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

(2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

(e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (4) and (e)(1) through (12) of this section.

(1) The date and time that each malfunction started and stopped.

(2) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.

(3) The date, time, and duration that each CMS was out-of-control, including the information in § 63.8(c)(8).

(4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.

(5) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.

(6) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.

(7) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.

(8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.

(9) A brief description of the stationary RICE.

(10) A brief description of the CMS.

(11) The date of the latest CMS certification or audit.

(12) A description of any changes in CMS, processes, or controls since the last reporting period.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

(g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.

(1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

(h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates for the purpose specified in § 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

(ii) Date of the report and beginning and ending dates of the reporting period.

(iii) Engine site rating and model year.

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

(v)-(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) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data

Exchange (CDX) ([www.epa.gov/cdx](http://www.epa.gov/cdx)). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 63.13.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

**§ 63.6655 What records must I keep?**

(a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in § 63.10(b)(2)(xiv).

(2) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in § 63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.

(1) Records described in § 63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in § 63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in § 63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) An existing stationary RICE with a site rating of less than 100 brake HP located at a major source of HAP emissions.

(2) An existing stationary emergency RICE.

(3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purpose 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.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

**§ 63.6660 In what form and how long must I keep my records?**

(a) Your records must be in a form suitable and readily available for expeditious review according to § 63.10(b)(1).

(b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

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

**Other Requirements and Information**

**§ 63.6665 What parts of the General Provisions apply to me?**

Table 8 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[75 FR 9678, Mar. 3, 2010]

**§ 63.6670 Who implements and enforces this subpart?**

(a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are:

- (1) Approval of alternatives to the non-opacity emission limitations and operating limitations in § 63.6600 under § 63.6(g).
- (2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.
- (3) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.
- (4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.
- (5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in § 63.6610(b).

**§ 63.6675 What definitions apply to this subpart?**

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

*Alaska Railbelt Grid* means the service areas of the six regulated public utilities that extend from Fairbanks to Anchorage and the Kenai Peninsula. These utilities are Golden Valley Electric Association; Chugach Electric Association; Matanuska Electric Association; Homer Electric Association; Anchorage Municipal Light & Power; and the City of Seward Electric System.

*Area source* means any stationary source of HAP that is not a major source as defined in part 63.

*Associated equipment* as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

*Backup power for renewable energy* means an engine that provides backup power to a facility that generates electricity from renewable energy resources, as that term is defined in Alaska Statute 42.45.045(l)(5) (incorporated by reference, see § 63.14).

*Black start engine* means an engine whose only purpose is to start up a combustion turbine.

*CAA* means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Public Law 101-549, 104 Stat. 2399).

*Commercial emergency stationary RICE* means an emergency stationary RICE used in commercial establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities.

*Compression ignition* means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

*Custody transfer* means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

*Deviation* means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

- (1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.
- (4) Fails to satisfy the general duty to minimize emissions established by § 63.6(e)(1)(i).

*Diesel engine* means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

*Diesel fuel* means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2. Diesel fuel also includes any non-distillate fuel with comparable physical and chemical properties (e.g. biodiesel) that is suitable for use in compression ignition engines.

*Digester gas* means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO<sub>2</sub>.

*Dual-fuel engine* means any stationary RICE in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel.

*Emergency stationary RICE* means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary RICE must comply with the requirements specified in § 63.6640(f) in order to be considered emergency stationary RICE. If the engine does not comply with the requirements specified in § 63.6640(f), then it is not considered to be an emergency stationary RICE under this subpart.

- (1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.
- (2) The stationary RICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 63.6640(f).
- (3) The stationary RICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 63.6640(f)(4)(i) or (ii).

*Engine startup* means the time from initial start until applied load and engine and associated equipment reaches steady state or normal operation. For stationary engine with catalytic controls, engine startup means the time from initial start until applied load and engine and associated equipment, including the catalyst, reaches steady state or normal operation.

*Four-stroke engine* means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

*Gaseous fuel* means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

*Gasoline* means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

*Glycol dehydration unit* means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes "rich" glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The "lean" glycol is then recycled.

*Hazardous air pollutants (HAP)* means any air pollutants listed in or pursuant to section 112(b) of the CAA.

*Institutional emergency stationary RICE* means an emergency stationary RICE used in institutional establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations.

*ISO standard day conditions* means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

*Landfill gas* means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO<sub>2</sub>.

*Lean burn engine* means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

*Limited use stationary RICE* means any stationary RICE that operates less than 100 hours per year.

*Liquefied petroleum gas* means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

*Liquid fuel* means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

*Major Source*, as used in this subpart, shall have the same meaning as in § 63.2, except that:

- (1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;
- (2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated;
- (3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and
- (4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in § 63.1271 of subpart HHH of this part, shall not be aggregated.

*Malfunction* means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

*Natural gas* means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

*Non-selective catalytic reduction (NSCR)* means an add-on catalytic nitrogen oxides (NO<sub>x</sub>) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO<sub>x</sub>, CO, and volatile organic compounds (VOC) into CO<sub>2</sub>, nitrogen, and water.

*Oil and gas production facility* as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (*i.e.*, remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

*Oxidation catalyst* means an add-on catalytic control device that controls CO and VOC by oxidation.

*Peaking unit or engine* means any standby engine intended for use during periods of high demand that are not emergencies.

*Percent load* means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

*Potential to emit* means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in § 63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to § 63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to § 63.1270(a)(2).

*Production field facility* means those oil and gas production facilities located prior to the point of custody transfer.

*Production well* means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

*Propane* means a colorless gas derived from petroleum and natural gas, with the molecular structure C<sub>3</sub>H<sub>8</sub>.

*Remote stationary RICE* means stationary RICE meeting any of the following criteria:

- (1) Stationary RICE located in an offshore area that is beyond the line of ordinary low water along that portion of the coast of the United States that is in direct contact with the open seas and beyond the line marking the seaward limit of inland waters.

(2) Stationary RICE located on a pipeline segment that meets both of the criteria in paragraphs (2)(i) and (ii) of this definition.

(i) A pipeline segment with 10 or fewer buildings intended for human occupancy and no buildings with four or more stories within 220 yards (200 meters) on either side of the centerline of any continuous 1-mile (1.6 kilometers) length of pipeline. Each separate dwelling unit in a multiple dwelling unit building is counted as a separate building intended for human occupancy.

(ii) The pipeline segment does not lie within 100 yards (91 meters) of either a building or a small, well-defined outside area (such as a playground, recreation area, outdoor theater, or other place of public assembly) that is occupied by 20 or more persons on at least 5 days a week for 10 weeks in any 12-month period. The days and weeks need not be consecutive. The building or area is considered occupied for a full day if it is occupied for any portion of the day.

(iii) For purposes of this paragraph (2), the term pipeline segment means all parts of those physical facilities through which gas moves in transportation, including but not limited to pipe, valves, and other appurtenance attached to pipe, compressor units, metering stations, regulator stations, delivery stations, holders, and fabricated assemblies. Stationary RICE located within 50 yards (46 meters) of the pipeline segment providing power for equipment on a pipeline segment are part of the pipeline segment. Transportation of gas means the gathering, transmission, or distribution of gas by pipeline, or the storage of gas. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

(3) Stationary RICE that are not located on gas pipelines and that have 5 or fewer buildings intended for human occupancy and no buildings with four or more stories within a 0.25 mile radius around the engine. A building is intended for human occupancy if its primary use is for a purpose involving the presence of humans.

*Residential emergency stationary RICE* means an emergency stationary RICE used in residential establishments such as homes or apartment buildings.

*Responsible official* means responsible official as defined in 40 CFR 70.2.

*Rich burn engine* means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NO<sub>x</sub> (such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

*Site-rated HP* means the maximum manufacturer's design capacity at engine site conditions.

*Spark ignition* means relating to either: A gasoline-fueled engine; or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

*Stationary reciprocating internal combustion engine (RICE)* means any reciprocating internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

*Stationary RICE test cell/stand* means an engine test cell/stand, as defined in subpart P of this part, that tests stationary RICE.

*Stoichiometric* means the theoretical air-to-fuel ratio required for complete combustion.

*Storage vessel with the potential for flash emissions* means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

*Subpart* means 40 CFR part 63, subpart ZZZZ.

*Surface site* means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

*Two-stroke engine* means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

[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 6706, Jan. 30, 2013; 87 FR 48608, Aug. 10, 2022]

**Table 1a to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions**

As stated in §§63.6600 and 63.6640, you must comply with the following emission limitations at 100 percent load plus or minus 10 percent for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
1. 4SRB stationary RICE	a. Reduce formaldehyde emissions by 76 percent or more. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may reduce formaldehyde emissions by 75 percent or more until June 15, 2007 or	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>1</sup>
	b. Limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub>	

<sup>1</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9679, Mar. 3, 2010, as amended at 75 FR 51592, Aug. 20, 2010]

**Table 1b to Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed SI 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions**

As stated in §§63.6600, 63.6603, 63.6630 and 63.6640, you must comply with the following operating limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR; or existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub> and using NSCR;	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F. <sup>1</sup>
2. existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR; or	Comply with any operating limitations approved by the Administrator.
existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O <sub>2</sub> and not using NSCR.	

<sup>1</sup>Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6706, Jan. 30, 2013]

**Table 2a to Subpart ZZZZ of Part 63—Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions**

As stated in §§63.6600 and 63.6640, you must comply with the following emission limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary RICE at 100 percent load plus or minus 10 percent:

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
1. 2SLB stationary RICE	a. Reduce CO emissions by 58 percent or more; or b. Limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent O <sub>2</sub> . If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may limit concentration of formaldehyde to 17 ppmvd or less at 15 percent O <sub>2</sub> until June 15, 2007	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>1</sup>
2. 4SLB stationary RICE	a. Reduce CO emissions by 93 percent or more; or	

For each . . .	You must meet the following emission limitation, except during periods of startup . . .	During periods of startup you must . . .
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent O <sub>2</sub>	
3. CI stationary RICE	a. Reduce CO emissions by 70 percent or more; or	
	b. Limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O <sub>2</sub>	

<sup>1</sup>Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[75 FR 9680, Mar. 3, 2010]

**Table 2b to Subpart ZZZZ of Part 63—Operating Limitations for New and Reconstructed 2SLB and CI Stationary RICE >500 HP Located at a Major Source of HAP Emissions, New and Reconstructed 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions, Existing CI Stationary RICE >500 HP**

As stated in §§63.6600, 63.6601, 63.6603, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions; new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions; and existing CI stationary RICE >500 HP:

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
1. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and using an oxidation catalyst; and New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst.	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. <sup>1</sup>
2. Existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an oxidation catalyst	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. <sup>1</sup>
3. New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to reduce CO emissions and not using an oxidation catalyst; and	Comply with any operating limitations approved by the Administrator.

For each . . .	You must meet the following operating limitation, except during periods of startup . . .
New and reconstructed 2SLB and CI stationary RICE >500 HP located at a major source of HAP emissions and new and reconstructed 4SLB stationary RICE ≥250 HP located at a major source of HAP emissions complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst; and	
existing CI stationary RICE >500 HP complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and not using an oxidation catalyst.	

<sup>1</sup>Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

[78 FR 6707, Jan. 30, 2013]

**Table 2c to Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions**

As stated in §§63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE <sup>1</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first. <sup>2</sup> b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. <sup>3</sup>	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. <sup>3</sup>

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
2. Non-Emergency, non-black start stationary CI RICE <100 HP	<p>a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first.<sup>2</sup></p> <p>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;</p> <p>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.<sup>3</sup></p>	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O <sub>2</sub> .	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	<p>a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O<sub>2</sub>; or</p> <p>b. Reduce CO emissions by 70 percent or more.</p>	
5. Non-Emergency, non-black start stationary CI RICE >500 HP	<p>a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O<sub>2</sub>; or</p> <p>b. Reduce CO emissions by 70 percent or more.</p>	
6. Emergency stationary SI RICE and black start stationary SI RICE. <sup>1</sup>	<p>a. Change oil and filter every 500 hours of operation or annually, whichever comes first;<sup>2</sup></p> <p>b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;</p> <p>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.<sup>3</sup></p>	
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE	<p>a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first;<sup>2</sup></p> <p>b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary;</p>	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary. <sup>3</sup>	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP	a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first; <sup>2</sup> b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary;	
	c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary. <sup>3</sup>	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O <sub>2</sub> .	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O <sub>2</sub> .	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O <sub>2</sub> .	
12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or less at 15 percent O <sub>2</sub> .	

<sup>1</sup>If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

<sup>2</sup>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 2c of this subpart.

<sup>3</sup>Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[78 FR 6708, Jan. 30, 2013, as amended at 78 FR 14457, Mar. 6, 2013]

**Table 2d to Subpart ZZZZ of Part 63—Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions**

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:

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Non-Emergency, non-black start CI stationary RICE ≤300 HP	a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first; <sup>1</sup> b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
2. Non-Emergency, non-black start CI stationary RICE 300<HP≤500	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O <sub>2</sub> ; or	
	b. Reduce CO emissions by 70 percent or more.	
3. Non-Emergency, non-black start CI stationary RICE >500 HP	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O <sub>2</sub> ; or	
	b. Reduce CO emissions by 70 percent or more.	
4. Emergency stationary CI RICE and black start stationary CI RICE. <sup>2</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>1</sup>	
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year. <sup>2</sup>	a. Change oil and filter every 500 hours of operation or annually, whichever comes first; <sup>1</sup> ; b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	
6. Non-emergency, non-black start 2SLB stationary RICE	a. Change oil and filter every 4,320 hours of operation or annually, whichever comes first; <sup>1</sup>	
	b. Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary.	
7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first; <sup>1</sup>	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	
8. Non-emergency, non-black start 4SLB remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first; <sup>1</sup>	
	b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.	
9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Install an oxidation catalyst to reduce HAP emissions from the stationary RICE.	
10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first; <sup>1</sup>	
	b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP	a. Change oil and filter every 2,160 hours of operation or annually, whichever comes first; <sup>1</sup>	
	b. Inspect spark plugs every 2,160 hours of operation or annually, whichever comes first, and replace as necessary; and	
	c. Inspect all hoses and belts every 2,160 hours of operation or annually, whichever comes first, and replace as necessary.	
12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year	Install NSCR to reduce HAP emissions from the stationary RICE.	
13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis	a. Change oil and filter every 1,440 hours of operation or annually, whichever comes first; <sup>1</sup> b. Inspect spark plugs every 1,440 hours of operation or annually, whichever comes first, and replace as necessary; and	

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
	c. Inspect all hoses and belts every 1,440 hours of operation or annually, whichever comes first, and replace as necessary.	

<sup>1</sup>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.

<sup>2</sup>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.

[78 FR 6709, Jan. 30, 2013]

**Table 3 to Subpart ZZZZ of Part 63—Subsequent Performance Tests**

As stated in §§63.6615 and 63.6620, you must comply with the following subsequent performance test requirements:

For each . . .	Complying with the requirement to . . .	You must . . .
1. New or reconstructed 2SLB stationary RICE >500 HP located at major sources; new or reconstructed 4SLB stationary RICE ≥250 HP located at major sources; and new or reconstructed CI stationary RICE >500 HP located at major sources	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually. <sup>1</sup>
2. 4SRB stationary RICE ≥5,000 HP located at major sources	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually. <sup>1</sup>
3. Stationary RICE >500 HP located at major sources and new or reconstructed 4SLB stationary RICE 250≤HP≤500 located at major sources	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually. <sup>1</sup>
4. Existing non-emergency, non-black start CI stationary RICE >500 HP that are not limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first.
5. Existing non-emergency, non-black start CI stationary RICE >500 HP that are limited use stationary RICE	Limit or reduce CO emissions and not using a CEMS	Conduct subsequent performance tests every 8,760 hours or 5 years, whichever comes first.

<sup>1</sup>After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

[78 FR 6711, Jan. 30, 2013]

**Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests**

As stated in §§ 63.6610, 63.6611, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE:

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE	a. Reduce CO emissions	i. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and		(a) For CO, O <sub>2</sub> , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A–1, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A–4.
		ii. Measure the O <sub>2</sub> at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A–2, or ASTM D6522–00 (Reapproved 2005) <sup>13</sup> (heated probe not necessary)	(b) Measurements to determine O <sub>2</sub> must be made at the same time as the measurements for CO concentration.
		iii. Measure the CO at the inlet and the outlet of the control device; and	(2) ASTM D6522–00 (Reapproved 2005) <sup>123</sup> (heated probe not necessary) or method 10 of 40 CFR part 60, appendix A–4	(c) The CO concentration must be at 15 percent O <sub>2</sub> , dry basis.
		iv. Measure moisture content at the inlet and outlet of the control device as needed to determine CO and O <sub>2</sub> concentrations on a dry basis	(3) Method 4 of 40 CFR part 60, appendix A–3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 <sup>13</sup>	(d) Measurements to determine moisture content must be made at the same time and location as the measurements for CO concentration.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
2. 4SRB stationary RICE	a. Reduce formaldehyde or THC emissions	i. Select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device; and		(a) For formaldehyde, THC, O <sub>2</sub> , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter <i>and</i> the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A.
		ii. Measure O <sub>2</sub> at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005) <sup>13</sup> (heated probe not necessary)	(b) Measurements to determine O <sub>2</sub> concentration must be made at the same time as the measurements for formaldehyde or THC concentration.
		iii. Measure moisture content at the inlet and outlet of the control device as needed to determine formaldehyde or THC and O <sub>2</sub> concentrations on a dry basis; and	(2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 <sup>13</sup>	(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or THC concentration.
		iv. If demonstrating compliance with the formaldehyde percent reduction requirement, measure formaldehyde at the inlet and the outlet of the control device	(3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03, <sup>13</sup> provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	(d) Formaldehyde concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		v. If demonstrating compliance with the THC percent reduction requirement, measure THC at the inlet and the outlet of the control device	(4) (1) Method 25A, reported as propane, of 40 CFR part 60, appendix A-7	(e) THC concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
3. Stationary RICE	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust	i. Select the sampling port location and the number/location of traverse points at the exhaust of the stationary RICE; and		(a) For formaldehyde, CO, O <sub>2</sub> , and moisture measurement, ducts ≤6 inches in diameter may be sampled at a single point located at the duct centroid and ducts >6 and ≤12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ('3-point long line'). If the duct is >12 inches in diameter and the sampling port location meets the two and half-diameter criterion of section 11.1.1 of method 1 of 40 CFR part 60, appendix A, the duct may be sampled at '3-point long line'; otherwise, conduct the stratification testing and select sampling points according to section 8.1.2 of method 7E of 40 CFR part 60, appendix A. If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O <sub>2</sub> concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A-2, or ASTM D6522-00 (Reapproved 2005) <sup>13</sup> (heated probe not necessary)	(b) Measurements to determine O <sub>2</sub> concentration must be made at the same time and location as the measurements for formaldehyde or CO concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location as needed to determine formaldehyde or CO and O <sub>2</sub> concentrations on a dry basis; and	(2) Method 4 of 40 CFR part 60, appendix A-3, or method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03 <sup>13</sup>	(c) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde or CO concentration.

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
		iv. Measure formaldehyde at the exhaust of the stationary RICE; or	(3) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348–03, <sup>13</sup> provided in ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	(d) Formaldehyde concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
		v. Measure CO at the exhaust of the stationary RICE	(4) Method 10 of 40 CFR part 60, appendix A–4, ASTM D6522–00 (2005), <sup>13</sup> method 320 of 40 CFR part 63, appendix A, or ASTM D6348–03 <sup>13</sup>	(e) CO concentration must be at 15 percent O <sub>2</sub> , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.

<sup>1</sup> You may also use methods 3A and 10 as options to ASTM–D6522–00 (2005).

<sup>2</sup> You may obtain a copy of ASTM–D6348–03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

<sup>3</sup> Incorporated by reference, see § 63.14.

[88 FR 18413, Mar. 29, 2023]

**Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations, Operating Limitations, and Other Requirements**

As stated in §§63.6612, 63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following:

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and using oxidation catalyst, and using a CPMS	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
2. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, using oxidation catalyst, and using a CPMS	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions and not using oxidation catalyst	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and iii. You have recorded the approved operating parameters (if any) during the initial performance test.
4. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and not using oxidation catalyst	i. The average CO concentration determined from the initial performance test is less than or equal to the CO emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
5. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Reduce CO emissions, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O <sub>2</sub> or CO <sub>2</sub> at both the inlet and outlet of the oxidation catalyst according to the requirements in §63.6625(a); and ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and
		iii. The average reduction of CO calculated using §63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved during the 4-hour period.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
6. Non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP located at an area source of HAP	a. Limit the concentration of CO, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O <sub>2</sub> or CO <sub>2</sub> at the outlet of the oxidation catalyst according to the requirements in §63.6625(a); and
		ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and
		iii. The average concentration of CO calculated using §63.6620 is less than or equal to the CO emission limitation. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average concentration measured during the 4-hour period.
7. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction, or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
8. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction or the average reduction of emissions of THC determined from the initial performance test is equal to or greater than 30 percent; and
		ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
9. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O <sub>2</sub> , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
10. New or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP, and existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O <sub>2</sub> , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
11. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Reduce CO emissions	i. The average reduction of emissions of CO or formaldehyde, as applicable determined from the initial performance test is equal to or greater than the required CO or formaldehyde, as applicable, percent reduction.
12. Existing non-emergency stationary RICE 100≤HP≤500 located at a major source of HAP, and existing non-emergency stationary CI RICE 300<HP≤500 located at an area source of HAP	a. Limit the concentration of formaldehyde or CO in the stationary RICE exhaust	i. The average formaldehyde or CO concentration, as applicable, corrected to 15 percent O <sub>2</sub> , dry basis, from the three test runs is less than or equal to the formaldehyde or CO emission limitation, as applicable.
13. Existing non-emergency 4SLB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install an oxidation catalyst	i. You have conducted an initial compliance demonstration as specified in §63.6630(e) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O <sub>2</sub> ;
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1350 °F.

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
14. Existing non-emergency 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year	a. Install NSCR	i. You have conducted an initial compliance demonstration as specified in §63.6630(e) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O <sub>2</sub> , or the average reduction of emissions of THC is 30 percent or more;
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b), or you have installed equipment to automatically shut down the engine if the catalyst inlet temperature exceeds 1250 °F.

[78 FR 6712, Jan. 30, 2013]

**Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations, and Other Requirements**

As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved <sup>a</sup> ; and ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
2. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, and new or reconstructed non-emergency CI stationary RICE >500 HP located at a major source of HAP	a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved <sup>a</sup> ; and ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and iii. Reducing these data to 4-hour rolling averages; and

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
3. New or reconstructed non-emergency 2SLB stationary RICE >500 HP located at a major source of HAP, new or reconstructed non-emergency 4SLB stationary RICE ≥250 HP located at a major source of HAP, new or reconstructed non-emergency stationary CI RICE >500 HP located at a major source of HAP, and existing non-emergency stationary CI RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using a CEMS	i. Collecting the monitoring data according to §63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction or concentration of CO emissions according to §63.6620; and ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period, or that the emission remain at or below the CO concentration limit; and
		iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.
4. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and using NSCR	i. Collecting the catalyst inlet temperature data according to §63.6625(b); and
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
5. Non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP	a. Reduce formaldehyde emissions and not using NSCR	i. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
6. Non-emergency 4SRB stationary RICE with a brake HP $\geq 5,000$ located at a major source of HAP	a. Reduce formaldehyde emissions	Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved, or to demonstrate that the average reduction of emissions of THC determined from the performance test is equal to or greater than 30 percent. <sup>a</sup>
7. New or reconstructed non-emergency stationary RICE $>500$ HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit <sup>a</sup> ; and ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
8. New or reconstructed non-emergency stationary RICE $>500$ HP located at a major source of HAP and new or reconstructed non-emergency 4SLB stationary RICE $250 \leq \text{HP} \leq 500$ located at a major source of HAP	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit <sup>a</sup> ; and ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP, existing non-emergency stationary RICE &lt;100 HP located at a major source of HAP, existing emergency and black start stationary RICE located at an area source of HAP, existing non-emergency stationary CI RICE ≤300 HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE ≤500 HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE &gt;500 HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE &gt;500 HP located at an area source of HAP that are remote stationary RICE</p>	<p>a. Work or Management practices</p>	<p>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.</p>
<p>10. Existing stationary CI RICE &gt;500 HP that are not limited use stationary RICE</p>	<p>a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and using oxidation catalyst</p>	<p>i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</p>
		<p>ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and</p>
		<p>iii. Reducing these data to 4-hour rolling averages; and</p>
		<p>iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and</p>
		<p>v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.</p>
<p>11. Existing stationary CI RICE &gt;500 HP that are not limited use stationary RICE</p>	<p>a. Reduce CO emissions, or limit the concentration of CO in the stationary RICE exhaust, and not using oxidation catalyst</p>	<p>i. Conducting performance tests every 8,760 hours or 3 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and</p>

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
		ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
12. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and using an oxidation catalyst	i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and
		ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
13. Existing limited use CI stationary RICE >500 HP	a. Reduce CO emissions or limit the concentration of CO in the stationary RICE exhaust, and not using an oxidation catalyst	i. Conducting performance tests every 8,760 hours or 5 years, whichever comes first, for CO or formaldehyde, as appropriate, to demonstrate that the required CO or formaldehyde, as appropriate, percent reduction is achieved or that your emissions remain at or below the CO or formaldehyde concentration limit; and
		ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
<p>14. Existing non-emergency 4SLB stationary RICE &gt;500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year</p>	<p>a. Install an oxidation catalyst</p>	<p>i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 93 percent or more, or the average CO concentration is less than or equal to 47 ppmvd at 15 percent O<sub>2</sub>; and either</p> <p>ii. Collecting the catalyst inlet temperature data according to §63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than 450 °F and less than or equal to 1350 °F for the catalyst inlet temperature; or</p> <p>iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1350 °F.</p>
<p>15. Existing non-emergency 4SRB stationary RICE &gt;500 HP located at an area source of HAP that are not remote stationary RICE and that are operated more than 24 hours per calendar year</p>	<p>a. Install NSCR</p>	<p>i. Conducting annual compliance demonstrations as specified in §63.6640(c) to show that the average reduction of emissions of CO is 75 percent or more, the average CO concentration is less than or equal to 270 ppmvd at 15 percent O<sub>2</sub>, or the average reduction of emissions of THC is 30 percent or more; and either</p> <p>ii. Collecting the catalyst inlet temperature data according to §63.6625(b), reducing these data to 4-hour rolling averages; and maintaining the 4-hour rolling averages within the limitation of greater than or equal to 750 °F and less than or equal to 1250 °F for the catalyst inlet temperature; or</p> <p>iii. Immediately shutting down the engine if the catalyst inlet temperature exceeds 1250 °F.</p>

<sup>a</sup>After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

[78 FR 6715, Jan. 30, 2013]

**Table 7 to Subpart ZZZZ of Part 63—Requirements for Reports**

As stated in §63.6650, you must comply with the following requirements for reports:

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
<p>1. Existing non-emergency, non-black start stationary RICE 100≤HP≤500 located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE &gt;500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE &gt;500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE &gt;300 HP located at an area source of HAP; new or reconstructed non-emergency stationary RICE &gt;500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP</p>	<p>Compliance report</p>	<p>a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or</p>	<p>i. Semiannually according to the requirements in §63.6650(b)(1)-(5) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in §63.6650(b)(6)-(9) for engines that are limited use stationary RICE subject to numerical emission limitations.</p>
		<p>b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e); or</p>	<p>i. Semiannually according to the requirements in §63.6650(b).</p>
		<p>c. If you had a malfunction during the reporting period, the information in §63.6650(c)(4).</p>	<p>i. Semiannually according to the requirements in §63.6650(b).</p>
<p>2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis</p>	<p>Report</p>	<p>a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and</p>	<p>i. Annually, according to the requirements in §63.6650.</p>
		<p>b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and</p>	<p>i. See item 2.a.i.</p>
		<p>c. Any problems or errors suspected with the meters.</p>	<p>i. See item 2.a.i.</p>
<p>3. Existing non-emergency, non-black start 4SLB and 4SRB stationary RICE &gt;500 HP located at an area source of HAP that are not remote stationary RICE and that operate more than 24 hours per calendar year</p>	<p>Compliance report</p>	<p>a. The results of the annual compliance demonstration, if conducted during the reporting period.</p>	<p>i. Semiannually according to the requirements in §63.6650(b)(1)-(5).</p>

<b>For each . . .</b>	<b>You must submit a . . .</b>	<b>The report must contain . . .</b>	<b>You must submit the report . . .</b>
4. Emergency stationary RICE that operate for the purposes specified in § 63.6640(f)(4)(ii)	Report	a. The information in §63.6650(h)(1)	i. annually according to the requirements in §63.6650(h)(2)-(3).

[87 FR 48608, Aug. 10, 2022]

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

As stated in §63.6665, you must comply with the following applicable general provisions.

<b>General provisions citation</b>	<b>Subject of citation</b>	<b>Applies to subpart</b>	<b>Explanation</b>
§63.1	General applicability of the General Provisions	Yes.	
§63.2	Definitions	Yes	Additional terms defined in §63.6675.
§63.3	Units and abbreviations	Yes.	
§63.4	Prohibited activities and circumvention	Yes.	
§63.5	Construction and reconstruction	Yes.	
§63.6(a)	Applicability	Yes.	
§63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes.	
§63.6(b)(5)	Notification	Yes.	
§63.6(b)(6)	[Reserved]		
§63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes.	
§63.6(c)(1)-(2)	Compliance dates for existing sources	Yes.	
§63.6(c)(3)-(4)	[Reserved]		
§63.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes.	
§63.6(d)	[Reserved]		
§63.6(e)	Operation and maintenance	No.	
§63.6(f)(1)	Applicability of standards	No.	
§63.6(f)(2)	Methods for determining compliance	Yes.	
§63.6(f)(3)	Finding of compliance	Yes.	
§63.6(g)(1)-(3)	Use of alternate standard	Yes.	
§63.6(h)	Opacity and visible emission standards	No	Subpart ZZZZ does not contain opacity or visible emission standards.

<b>General provisions citation</b>	<b>Subject of citation</b>	<b>Applies to subpart</b>	<b>Explanation</b>
§63.6(i)	Compliance extension procedures and criteria	Yes.	
§63.6(j)	Presidential compliance exemption	Yes.	
§63.7(a)(1)-(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§63.6610, 63.6611, and 63.6612.
§63.7(a)(3)	CAA section 114 authority	Yes.	
§63.7(b)(1)	Notification of performance test	Yes	Except that §63.7(b)(1) only applies as specified in §63.6645.
§63.7(b)(2)	Notification of rescheduling	Yes	Except that §63.7(b)(2) only applies as specified in §63.6645.
§63.7(c)	Quality assurance/test plan	Yes	Except that §63.7(c) only applies as specified in §63.6645.
§63.7(d)	Testing facilities	Yes.	
§63.7(e)(1)	Conditions for conducting performance tests	No.	Subpart ZZZZ specifies conditions for conducting performance tests at §63.6620.
§63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at §63.6620.
§63.7(e)(3)	Test run duration	Yes.	
§63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes.	
§63.7(f)	Alternative test method provisions	Yes.	
§63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes.	
§63.7(h)	Waiver of tests	Yes.	
§63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at §63.6625.
§63.8(a)(2)	Performance specifications	Yes.	
§63.8(a)(3)	[Reserved]		
§63.8(a)(4)	Monitoring for control devices	No.	
§63.8(b)(1)	Monitoring	Yes.	
§63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes.	
§63.8(c)(1)	Monitoring system operation and maintenance	Yes.	
§63.8(c)(1)(i)	Routine and predictable SSM	No	
§63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes.	

<b>General provisions citation</b>	<b>Subject of citation</b>	<b>Applies to subpart</b>	<b>Explanation</b>
§63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	No	
§63.8(c)(2)-(3)	Monitoring system installation	Yes.	
§63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§63.8(d)	CMS quality control	Yes.	
§63.8(e)	CMS performance evaluation	Yes	Except for §63.8(e)(5)(ii), which applies to COMS.
		Except that §63.8(e) only applies as specified in §63.6645.	
§63.8(f)(1)-(5)	Alternative monitoring method	Yes	Except that §63.8(f)(4) only applies as specified in §63.6645.
§63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that §63.8(f)(6) only applies as specified in §63.6645.
§63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§63.6635 and 63.6640.
§63.9(a)	Applicability and State delegation of notification requirements	Yes.	
§63.9(b)(1)-(5)	Initial notifications	Yes	Except that §63.9(b)(3) is reserved.
		Except that §63.9(b) only applies as specified in §63.6645.	
§63.9(c)	Request for compliance extension	Yes	Except that §63.9(c) only applies as specified in §63.6645.
§63.9(d)	Notification of special compliance requirements for new sources	Yes	Except that §63.9(d) only applies as specified in §63.6645.
§63.9(e)	Notification of performance test	Yes	Except that §63.9(e) only applies as specified in §63.6645.
§63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.
§63.9(g)(1)	Notification of performance evaluation	Yes	Except that §63.9(g) only applies as specified in §63.6645.
§63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.

<b>General provisions citation</b>	<b>Subject of citation</b>	<b>Applies to subpart</b>	<b>Explanation</b>
§63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use.
		Except that §63.9(g) only applies as specified in §63.6645.	
§63.9(h)(1)-(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. §63.9(h)(4) is reserved.
			Except that §63.9(h) only applies as specified in §63.6645.
§63.9(i)	Adjustment of submittal deadlines	Yes.	
§63.9(j)	Change in previous information	Yes.	
§63.9(k)	Electronic reporting procedures	Yes	Only as specified in §63.9(j).
§63.10(a)	Administrative provisions for recordkeeping/reporting	Yes.	
§63.10(b)(1)	Record retention	Yes	Except that the most recent 2 years of data do not have to be retained on site.
§63.10(b)(2)(i)-(v)	Records related to SSM	No.	
§63.10(b)(2)(vi)-(xi)	Records	Yes.	
§63.10(b)(2)(xii)	Record when under waiver	Yes.	
§63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§63.10(b)(2)(xiv)	Records of supporting documentation	Yes.	
§63.10(b)(3)	Records of applicability determination	Yes.	
§63.10(c)	Additional records for sources using CEMS	Yes	Except that §63.10(c)(2)-(4) and (9) are reserved.
§63.10(d)(1)	General reporting requirements	Yes.	
§63.10(d)(2)	Report of performance test results	Yes.	
§63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
§63.10(d)(4)	Progress reports	Yes.	
§63.10(d)(5)	Startup, shutdown, and malfunction reports	No.	
§63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes.	
§63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.

General provisions citation	Subject of citation	Applies to subpart	Explanation
§63.10(e)(3)	Excess emission and parameter exceedances reports	Yes.	Except that §63.10(e)(3)(i) (C) is reserved.
§63.10(e)(4)	Reporting COMS data	No	Subpart ZZZZ does not require COMS.
§63.10(f)	Waiver for recordkeeping/reporting	Yes.	
§63.11	Flares	No.	
§63.12	State authority and delegations	Yes.	
§63.13	Addresses	Yes.	
§63.14	Incorporation by reference	Yes.	
§63.15	Availability of information	Yes.	

[75 FR 9688, Mar. 3, 2010, as amended at 78 FR 6720, Jan. 30, 2013; 85 FR 73912, Nov. 19, 2020]

**Appendix A to Subpart ZZZZ of Part 63—Protocol for Using an Electrochemical Analyzer to Determine Oxygen and Carbon Monoxide Concentrations From Certain Engines**

1.0 SCOPE AND APPLICATION. WHAT IS THIS PROTOCOL?

This protocol is a procedure for using portable electrochemical (EC) cells for measuring carbon monoxide (CO) and oxygen (O<sub>2</sub>) concentrations in controlled and uncontrolled emissions from existing stationary 4-stroke lean burn and 4-stroke rich burn reciprocating internal combustion engines as specified in the applicable rule.

1.1 Analytes. What does this protocol determine?

This protocol measures the engine exhaust gas concentrations of carbon monoxide (CO) and oxygen (O<sub>2</sub>).

Analyte	CAS No.	Sensitivity
Carbon monoxide (CO)	630-08-0	Minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.
Oxygen (O <sub>2</sub> )	7782-44-7	

1.2 Applicability. When is this protocol acceptable?

This protocol is applicable to 40 CFR part 63, subpart ZZZZ. Because of inherent cross sensitivities of EC cells, you must not apply this protocol to other emissions sources without specific instruction to that effect.

1.3 Data Quality Objectives. How good must my collected data be?

Refer to Section 13 to verify and document acceptable analyzer performance.

1.4 Range. What is the targeted analytical range for this protocol?

The measurement system and EC cell design(s) conforming to this protocol will determine the analytical range for each gas component. The nominal ranges are defined by choosing up-scale calibration gas concentrations near the maximum anticipated flue gas concentrations for CO and O<sub>2</sub>, or no more than twice the permitted CO level.

*1.5 Sensitivity. What minimum detectable limit will this protocol yield for a particular gas component?*

The minimum detectable limit depends on the nominal range and resolution of the specific EC cell used, and the signal to noise ratio of the measurement system. The minimum detectable limit should be 2 percent of the nominal range or 1 ppm, whichever is less restrictive.

2.0 SUMMARY OF PROTOCOL

In this protocol, a gas sample is extracted from an engine exhaust system and then conveyed to a portable EC analyzer for measurement of CO and O<sub>2</sub> gas concentrations. This method provides measurement system performance specifications and sampling protocols to ensure reliable data. You may use additions to, or modifications of vendor supplied measurement systems (e.g., heated or unheated sample lines, thermocouples, flow meters, selective gas scrubbers, etc.) to meet the design specifications of this protocol. Do not make changes to the measurement system from the as-verified configuration (Section 3.12).

3.0 DEFINITIONS

*3.1 Measurement System.* The total equipment required for the measurement of CO and O<sub>2</sub> concentrations. The measurement system consists of the following major subsystems:

*3.1.1 Data Recorder.* A strip chart recorder, computer or digital recorder for logging measurement data from the analyzer output. You may record measurement data from the digital data display manually or electronically.

*3.1.2 Electrochemical (EC) Cell.* A device, similar to a fuel cell, used to sense the presence of a specific analyte and generate an electrical current output proportional to the analyte concentration.

*3.1.3 Interference Gas Scrubber.* A device used to remove or neutralize chemical compounds that may interfere with the selective operation of an EC cell.

*3.1.4 Moisture Removal System.* Any device used to reduce the concentration of moisture in the sample stream so as to protect the EC cells from the damaging effects of condensation and to minimize errors in measurements caused by the scrubbing of soluble gases.

*3.1.5 Sample Interface.* The portion of the system used for one or more of the following: sample acquisition; sample transport; sample conditioning or protection of the EC cell from any degrading effects of the engine exhaust effluent; removal of particulate matter and condensed moisture.

*3.2 Nominal Range.* The range of analyte concentrations over which each EC cell is operated (normally 25 percent to 150 percent of up-scale calibration gas value). Several nominal ranges can be used for any given cell so long as the calibration and repeatability checks for that range remain within specifications.

*3.3 Calibration Gas.* A vendor certified concentration of a specific analyte in an appropriate balance gas.

*3.4 Zero Calibration Error.* The analyte concentration output exhibited by the EC cell in response to zero-level calibration gas.

*3.5 Up-Scale Calibration Error.* The mean of the difference between the analyte concentration exhibited by the EC cell and the certified concentration of the up-scale calibration gas.

*3.6 Interference Check.* A procedure for quantifying analytical interference from components in the engine exhaust gas other than the targeted analytes.

*3.7 Repeatability Check.* A protocol for demonstrating that an EC cell operated over a given nominal analyte concentration range provides a stable and consistent response and is not significantly affected by repeated exposure to that gas.

**3.8 Sample Flow Rate.** The flow rate of the gas sample as it passes through the EC cell. In some situations, EC cells can experience drift with changes in flow rate. The flow rate must be monitored and documented during all phases of a sampling run.

**3.9 Sampling Run.** A timed three-phase event whereby an EC cell's response rises and plateaus in a sample conditioning phase, remains relatively constant during a measurement data phase, then declines during a refresh phase. The sample conditioning phase exposes the EC cell to the gas sample for a length of time sufficient to reach a constant response. The measurement data phase is the time interval during which gas sample measurements can be made that meet the acceptance criteria of this protocol. The refresh phase then purges the EC cells with CO-free air. The refresh phase replenishes requisite O<sub>2</sub> and moisture in the electrolyte reserve and provides a mechanism to de-gas or desorb any interference gas scrubbers or filters so as to enable a stable CO EC cell response. There are four primary types of sampling runs: pre-sampling calibrations; stack gas sampling; post-sampling calibration checks; and measurement system repeatability checks. Stack gas sampling runs can be chained together for extended evaluations, providing all other procedural specifications are met.

**3.10 Sampling Day.** A time not to exceed twelve hours from the time of the pre-sampling calibration to the post-sampling calibration check. During this time, stack gas sampling runs can be repeated without repeated recalibrations, providing all other sampling specifications have been met.

**3.11 Pre-Sampling Calibration/Post-Sampling Calibration Check.** The protocols executed at the beginning and end of each sampling day to bracket measurement readings with controlled performance checks.

**3.12 Performance-Established Configuration.** The EC cell and sampling system configuration that existed at the time that it initially met the performance requirements of this protocol.

#### 4.0 INTERFERENCES.

When present in sufficient concentrations, NO and NO<sub>2</sub> are two gas species that have been reported to interfere with CO concentration measurements. In the likelihood of this occurrence, it is the protocol user's responsibility to employ and properly maintain an appropriate CO EC cell filter or scrubber for removal of these gases, as described in Section 6.2.12.

#### 5.0 SAFETY. [RESERVED]

#### 6.0 EQUIPMENT AND SUPPLIES.

##### 6.1 What equipment do I need for the measurement system?

The system must maintain the gas sample at conditions that will prevent moisture condensation in the sample transport lines, both before and as the sample gas contacts the EC cells. The essential components of the measurement system are described below.

##### 6.2 Measurement System Components.

**6.2.1 Sample Probe.** A single extraction-point probe constructed of glass, stainless steel or other non-reactive material, and of length sufficient to reach any designated sampling point. The sample probe must be designed to prevent plugging due to condensation or particulate matter.

**6.2.2 Sample Line.** Non-reactive tubing to transport the effluent from the sample probe to the EC cell.

**6.2.3 Calibration Assembly (optional).** A three-way valve assembly or equivalent to introduce calibration gases at ambient pressure at the exit end of the sample probe during calibration checks. The assembly must be designed such that only stack gas or calibration gas flows in the sample line and all gases flow through any gas path filters.

**6.2.4 Particulate Filter (optional).** Filters before the inlet of the EC cell to prevent accumulation of particulate material in the measurement system and extend the useful life of the components. All filters must be fabricated of materials that are non-reactive to the gas mixtures being sampled.

**6.2.5 Sample Pump.** A leak-free pump to provide undiluted sample gas to the system at a flow rate sufficient to minimize the response time of the measurement system. If located upstream of the EC cells, the pump must be constructed of a material that is non-reactive to the gas mixtures being sampled.

**6.2.8 Sample Flow Rate Monitoring.** An adjustable rotameter or equivalent device used to adjust and maintain the sample flow rate through the analyzer as prescribed.

**6.2.9 Sample Gas Manifold (optional).** A manifold to divert a portion of the sample gas stream to the analyzer and the remainder to a by-pass discharge vent. The sample gas manifold may also include provisions for introducing calibration gases directly to the analyzer. The manifold must be constructed of a material that is non-reactive to the gas mixtures being sampled.

**6.2.10 EC cell.** A device containing one or more EC cells to determine the CO and O<sub>2</sub> concentrations in the sample gas stream. The EC cell(s) must meet the applicable performance specifications of Section 13 of this protocol.

**6.2.11 Data Recorder.** A strip chart recorder, computer or digital recorder to make a record of analyzer output data. The data recorder resolution (i.e., readability) must be no greater than 1 ppm for CO; 0.1 percent for O<sub>2</sub>; and one degree (either °C or °F) for temperature. Alternatively, you may use a digital or analog meter having the same resolution to observe and manually record the analyzer responses.

**6.2.12 Interference Gas Filter or Scrubber.** A device to remove interfering compounds upstream of the CO EC cell. Specific interference gas filters or scrubbers used in the performance-established configuration of the analyzer must continue to be used. Such a filter or scrubber must have a means to determine when the removal agent is exhausted. Periodically replace or replenish it in accordance with the manufacturer's recommendations.

## 7.0 REAGENTS AND STANDARDS. WHAT CALIBRATION GASES ARE NEEDED?

**7.1 Calibration Gases.** CO calibration gases for the EC cell must be CO in nitrogen or CO in a mixture of nitrogen and O<sub>2</sub>. Use CO calibration gases with labeled concentration values certified by the manufacturer to be within ±5 percent of the label value. Dry ambient air (20.9 percent O<sub>2</sub>) is acceptable for calibration of the O<sub>2</sub> cell. If needed, any lower percentage O<sub>2</sub> calibration gas must be a mixture of O<sub>2</sub> in nitrogen.

**7.1.1 Up-Scale CO Calibration Gas Concentration.** Choose one or more up-scale gas concentrations such that the average of the stack gas measurements for each stack gas sampling run are between 25 and 150 percent of those concentrations. Alternatively, choose an up-scale gas that does not exceed twice the concentration of the applicable outlet standard. If a measured gas value exceeds 150 percent of the up-scale CO calibration gas value at any time during the stack gas sampling run, the run must be discarded and repeated.

### 7.1.2 Up-Scale O<sub>2</sub> Calibration Gas Concentration.

Select an O<sub>2</sub> gas concentration such that the difference between the gas concentration and the average stack gas measurement or reading for each sample run is less than 15 percent O<sub>2</sub>. When the average exhaust gas O<sub>2</sub> readings are above 6 percent, you may use dry ambient air (20.9 percent O<sub>2</sub>) for the up-scale O<sub>2</sub> calibration gas.

**7.1.3 Zero Gas.** Use an inert gas that contains less than 0.25 percent of the up-scale CO calibration gas concentration. You may use dry air that is free from ambient CO and other combustion gas products (e.g., CO<sub>2</sub>).

## 8.0 SAMPLE COLLECTION AND ANALYSIS

### 8.1 Selection of Sampling Sites.

**8.1.1 Control Device Inlet.** Select a sampling site sufficiently downstream of the engine so that the combustion gases should be well mixed. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

**8.1.2 Exhaust Gas Outlet.** Select a sampling site located at least two stack diameters downstream of any disturbance (e.g., turbocharger exhaust, crossover junction or recirculation take-off) and at least one-half stack diameter upstream of the gas discharge to the atmosphere. Use a single sampling extraction point near the center of the duct (e.g., within the 10 percent centroidal area), unless instructed otherwise.

**8.2 Stack Gas Collection and Analysis.** Prior to the first stack gas sampling run, conduct that the pre-sampling calibration in accordance with Section 10.1. Use Figure 1 to record all data. Zero the analyzer with zero gas. Confirm and record that the scrubber media color is correct and not exhausted. Then position the probe at the sampling point and begin the sampling run at the same flow rate used during the up-scale calibration. Record the start time. Record all EC cell output responses and the flow rate during the "sample conditioning phase" once per minute until constant readings are obtained. Then begin the "measurement data phase" and record readings every 15 seconds for at least two minutes (or eight readings), or as otherwise required to achieve two continuous minutes of data that meet the specification given in Section 13.1. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until several minute-to-minute readings of consistent value have been obtained. For each run use the "measurement data phase" readings to calculate the average stack gas CO and O<sub>2</sub> concentrations.

**8.3 EC Cell Rate.** Maintain the EC cell sample flow rate so that it does not vary by more than  $\pm 10$  percent throughout the pre-sampling calibration, stack gas sampling and post-sampling calibration check. Alternatively, the EC cell sample flow rate can be maintained within a tolerance range that does not affect the gas concentration readings by more than  $\pm 3$  percent, as instructed by the EC cell manufacturer.

## 9.0 QUALITY CONTROL (RESERVED)

## 10.0 CALIBRATION AND STANDARDIZATION

**10.1 Pre-Sampling Calibration.** Conduct the following protocol once for each nominal range to be used on each EC cell before performing a stack gas sampling run on each field sampling day. Repeat the calibration if you replace an EC cell before completing all of the sampling runs. There is no prescribed order for calibration of the EC cells; however, each cell must complete the measurement data phase during calibration. Assemble the measurement system by following the manufacturer's recommended protocols including for preparing and preconditioning the EC cell. Assure the measurement system has no leaks and verify the gas scrubbing agent is not depleted. Use Figure 1 to record all data.

**10.1.1 Zero Calibration.** For both the O<sub>2</sub> and CO cells, introduce zero gas to the measurement system (e.g., at the calibration assembly) and record the concentration reading every minute until readings are constant for at least two consecutive minutes. Include the time and sample flow rate. Repeat the steps in this section at least once to verify the zero calibration for each component gas.

**10.1.2 Zero Calibration Tolerance.** For each zero gas introduction, the zero level output must be less than or equal to  $\pm 3$  percent of the up-scale gas value or  $\pm 1$  ppm, whichever is less restrictive, for the CO channel and less than or equal to  $\pm 0.3$  percent O<sub>2</sub> for the O<sub>2</sub> channel.

**10.1.3 Up-Scale Calibration.** Individually introduce each calibration gas to the measurement system (e.g., at the calibration assembly) and record the start time. Record all EC cell output responses and the flow rate during this "sample conditioning phase" once per minute until readings are constant for at least two minutes. Then begin the "measurement data phase" and record readings every 15 seconds for a total of two minutes, or as otherwise required. Finally, perform the "refresh phase" by introducing dry air, free from CO and other combustion gases, until readings are constant for at least two consecutive minutes. Then repeat the steps in this section at least once to verify the calibration for each component gas. Introduce all gases to flow through the entire sample handling system (i.e., at the exit end of the sampling probe or the calibration assembly).

**10.1.4 Up-Scale Calibration Error.** The mean of the difference of the "measurement data phase" readings from the reported standard gas value must be less than or equal to  $\pm 5$  percent or  $\pm 1$  ppm for CO or  $\pm 0.5$  percent O<sub>2</sub>, whichever is less restrictive, respectively. The maximum allowable deviation from the mean measured value of any single "measurement data phase" reading must be less than or equal to  $\pm 2$  percent or  $\pm 1$  ppm for CO or  $\pm 0.5$  percent O<sub>2</sub>, whichever is less restrictive, respectively.

**10.2 Post-Sampling Calibration Check.** Conduct a stack gas post-sampling calibration check after the stack gas sampling run or set of runs and within 12 hours of the initial calibration. Conduct up-scale and zero calibration checks

using the protocol in Section 10.1. Make no changes to the sampling system or EC cell calibration until all post-sampling calibration checks have been recorded. If either the zero or up-scale calibration error exceeds the respective specification in Sections 10.1.2 and 10.1.4 then all measurement data collected since the previous successful calibrations are invalid and re-calibration and re-sampling are required. If the sampling system is disassembled or the EC cell calibration is adjusted, repeat the calibration check before conducting the next analyzer sampling run.

#### 11.0 ANALYTICAL PROCEDURE

The analytical procedure is fully discussed in Section 8.

#### 12.0 CALCULATIONS AND DATA ANALYSIS

Determine the CO and O<sub>2</sub> concentrations for each stack gas sampling run by calculating the mean gas concentrations of the data recorded during the "measurement data phase".

#### 13.0 PROTOCOL PERFORMANCE

Use the following protocols to verify consistent analyzer performance during each field sampling day.

**13.1 Measurement Data Phase Performance Check.** Calculate the mean of the readings from the "measurement data phase". The maximum allowable deviation from the mean for each of the individual readings is  $\pm 2$  percent, or  $\pm 1$  ppm, whichever is less restrictive. Record the mean value and maximum deviation for each gas monitored. Data must conform to Section 10.1.4. The EC cell flow rate must conform to the specification in Section 8.3.

*Example:* A measurement data phase is invalid if the maximum deviation of any single reading comprising that mean is greater than  $\pm 2$  percent or  $\pm 1$  ppm (the default criteria). For example, if the mean = 30 ppm, single readings of below 29 ppm and above 31 ppm are disallowed).

**13.2 Interference Check.** Before the initial use of the EC cell and interference gas scrubber in the field, and semi-annually thereafter, challenge the interference gas scrubber with NO and NO<sub>2</sub> gas standards that are generally recognized as representative of diesel-fueled engine NO and NO<sub>2</sub> emission values. Record the responses displayed by the CO EC cell and other pertinent data on Figure 1 or a similar form.

**13.2.1 Interference Response.** The combined NO and NO<sub>2</sub> interference response should be less than or equal to  $\pm 5$  percent of the up-scale CO calibration gas concentration.

**13.3 Repeatability Check.** Conduct the following check once for each nominal range that is to be used on the CO EC cell within 5 days prior to each field sampling program. If a field sampling program lasts longer than 5 days, repeat this check every 5 days. Immediately repeat the check if the EC cell is replaced or if the EC cell is exposed to gas concentrations greater than 150 percent of the highest up-scale gas concentration.

**13.3.1 Repeatability Check Procedure.** Perform a complete EC cell sampling run (all three phases) by introducing the CO calibration gas to the measurement system and record the response. Follow Section 10.1.3. Use Figure 1 to record all data. Repeat the run three times for a total of four complete runs. During the four repeatability check runs, do not adjust the system except where necessary to achieve the correct calibration gas flow rate at the analyzer.

**13.3.2 Repeatability Check Calculations.** Determine the highest and lowest average "measurement data phase" CO concentrations from the four repeatability check runs and record the results on Figure 1 or a similar form. The absolute value of the difference between the maximum and minimum average values recorded must not vary more than  $\pm 3$  percent or  $\pm 1$  ppm of the up-scale gas value, whichever is less restrictive.

#### 14.0 POLLUTION PREVENTION (RESERVED)

#### 15.0 WASTE MANAGEMENT (RESERVED)



Facility_____	Engine I.D._____					Date_____				
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"										
"										
Mean										
Refresh Phase										
"										
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"										

[78 FR 6721, Jan. 30, 2013]

**Indiana Department of Environmental Management  
Office of Air Quality**

**Technical Support Document (TSD) for an Administrative Amendment to a  
Federally Enforceable State Operating Permit (FESOP)**

**Source Description and Location**

<b>Source Name:</b>	<b>Weaver Popcorn Company, Inc.</b>
<b>Source Location:</b>	<b>408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991</b>
<b>County:</b>	<b>Grant County</b>
<b>SIC Code:</b>	<b>2099 (Food Preparations, Not Elsewhere Classified)</b>
<b>Operation Permit No.:</b>	<b>F 053-44220-00033</b>
<b>Operation Permit Issuance Date:</b>	<b>April 20, 2022</b>
<b>Administrative Amendment No.:</b>	<b>053-47788-00033</b>
<b>Permit Reviewer:</b>	<b>Jeffery Grogan</b>

**Source Definition**

This Source Definition from the FESOP Renewal was incorporated into this permit as follows:

This grain elevator and popcorn processing plant consists of two (2) plants:

- (a) Weaver Popcorn Company, Inc., a grain elevator and popcorn processing plant, is located at 408 West Landess Street, Van Buren, Indiana, and
- (b) Weaver Contract Manufacturing, Inc., a microwave popcorn manufacturing and packaging facility, is located at 4943 N 900 E, Van Buren, Indiana.

However, these plants are located on one or more contiguous properties, have the same two-digit SIC code (20), and are still under common ownership; therefore, they are considered one (1) major source, as defined by 326 IAC 2-7-1(22). The plant ID of 053-00033 will be used for the combined source.

This determination was initially made under FESOP Renewal No. F053-23130-00033, issued on June 4, 2007.

**Existing Approvals**

The source was issued FESOP Renewal No. 053-44220-00033 on April 20, 2022. The source has since received the following approvals:

Permit Type	Permit Number	Issuance Date
Significant Permit Revision	053-32038-00033	November 20, 2012
Administrative Amendment	053-35877-00033	July 10, 2015
Administrative Amendment	053-38926-00033	October 04, 2017
Administrative Amendment	053-43015-00033	August 24, 2020
Administrative Amendment	053-46488-00033	April 19, 2023

### County Attainment Status

The source is located in Grant County.

Pursuant to amendments to Indiana Code IC 13-17-3-14, effective July 1, 2023, a federal regulation that classifies or amends a designation of attainment, nonattainment, or unclassifiable for any area in Indiana under the federal Clean Air Act is effective and enforceable in Indiana on the effective date of the federal regulation.

Pollutant	Designation
SO <sub>2</sub>	Unclassifiable or attainment effective April 9, 2018, for the 2010 primary 1-hour SO <sub>2</sub> standard. Better than national secondary standards effective March 3, 1978.
CO	Unclassifiable or attainment effective November 15, 1990.
O <sub>3</sub>	Unclassifiable or attainment effective January 16, 2018, for the 2015 8-hour ozone standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective April 15, 2015, for the 2012 annual PM <sub>2.5</sub> standard.
PM <sub>2.5</sub>	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM <sub>2.5</sub> standard.
PM <sub>10</sub>	Unclassifiable effective November 15, 1990.
NO <sub>2</sub>	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO <sub>2</sub> standard.
Pb	Unclassifiable or attainment effective December 31, 2011, for the 2008 lead standard.

- (a) Ozone Standards  
Volatile organic compounds (VOC) and Nitrogen Oxides (NO<sub>x</sub>) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO<sub>x</sub> emissions are considered when evaluating the rule applicability relating to ozone. Grant County has been designated as attainment or unclassifiable for ozone. Therefore, VOC and NO<sub>x</sub> emissions were reviewed pursuant to the requirements of Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (b) PM<sub>2.5</sub>  
Grant County has been classified as attainment for PM<sub>2.5</sub>. Therefore, direct PM<sub>2.5</sub>, SO<sub>2</sub>, and NO<sub>x</sub> emissions were reviewed pursuant to the requirements of Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (c) Other Criteria Pollutants  
Grant County has been classified as attainment or unclassifiable in Indiana for all the other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

### Fugitive Emissions

Since this type of operation is not one (1) of the twenty-eight (28) listed source categories under 326 IAC 2-2-1(ff)(1), 326 IAC 2-3-2(g), or 326 IAC 2-7-1(22)(B), and there is no applicable New Source Performance Standard or National Emission Standard for Hazardous Air Pollutants that was in effect on August 7, 1980, fugitive emissions are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

The fugitive emissions of hazardous air pollutants (HAP) are counted toward the determination of Part 70 Permit applicability and source status under Section 112 of the Clean Air Act (CAA).

### Greenhouse Gas (GHG) Emissions

On June 23, 2014, in the case of *Utility Air Regulatory Group v. EPA*, cause no. 12-1146, (available at [http://www.supremecourt.gov/opinions/13pdf/12-1146\\_4g18.pdf](http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf)) the United States Supreme Court ruled

that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHG emissions to determine operating permit applicability or PSD applicability to a source or modification.

**Source Status - Existing Source**

The table below summarizes the potential to emit of the entire source, prior to the administrative amendment, after consideration of all enforceable limits established in the effective permits. If the control equipment has been determined to be integral, the table reflects the potential to emit (PTE) after consideration of the integral control device.

	Source-Wide Emissions Prior to Administrative Amendment (ton/year)								
	PM <sup>1</sup>	PM <sub>10</sub> <sup>1</sup>	PM <sub>2.5</sub> <sup>1,2</sup>	SO <sub>2</sub>	NO <sub>x</sub>	VOC	CO	Single HAP <sup>3</sup>	Total HAPs
<b>Total PTE of Entire Source Excluding Fugitive Emissions*</b>	83.03	64.01	63.11	0.09	15.37	2.02	13.19	0.29	1.04
Title V Major Source Thresholds	NA	100	100	100	100	100	100	10	25
PSD Major Source Thresholds	250	250	250	250	250	250	250	--	--

<sup>1</sup>Under the Part 70 Permit program (40 CFR 70), PM<sub>10</sub> and PM<sub>2.5</sub>, not particulate matter (PM), are each considered as a "regulated air pollutant."  
<sup>2</sup>PM<sub>2.5</sub> listed is direct PM<sub>2.5</sub>.  
<sup>3</sup>Single highest source-wide HAP is Hexane  
 \*Fugitive HAP emissions are always included in the source-wide emissions.

- (a) This existing source is not a major stationary source, under PSD (326 IAC 2-2), because no PSD regulated pollutant is emitted at a rate of two hundred fifty (250) tons per year or more and it is not one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1).
- (b) This existing source is not a major source of HAP, as defined in 40 CFR 63.2, because HAP emissions are less than ten (10) tons per year for any single HAP and less than twenty-five (25) tons per year of a combination of HAPs.
- (c) These emissions are based on the TSD of Administrative Amendment No. 053-46488-00033, issued on April 19, 2023.

**Description of Amendment**

The Office of Air Quality (OAQ) has reviewed an application, submitted by Weaver Popcorn Company, Inc. on April 30, 2024, requesting to remove one (1) tanker tank, two (2) dust collectors, and to construct two (2) new dust collectors.

The following is a list of the new and modified emission units:

- (a) Dust collector DC10, controlling One (1) microwave popcorn unit, identified as Unit 013, will be replaced by dust collectors DC-10a and DC-10b, and exhausting to Stack 010.

As part of this permitting action, the following emission units are being removed from the permit:

- (a) One (1) tanker tanks area, identified as Unit 011, constructed in 1985, with a maximum throughput of 4 tons per hour. These enclosed tanks are used for storage and load tanker trucks via conveyor and controlled by dust collector DC12 and exhausting to Stack 012.

**Enforcement Issues**

There are no pending enforcement actions related to this administrative amendment.

**Emission Calculations**

See Appendix A of this Technical Support Document for detailed emission calculations.

**Permit Level Determination – FESOP Administrative Amendment**

Pursuant to 326 IAC 2-8-10(a)(2)(B), this change to the permit is considered an administrative amendment because the permit is amended to change descriptive information concerning the source or an emissions unit, where the revision will not trigger a new applicable requirement.

**PTE of the Entire Source After Issuance of the FESOP Administrative Amendment**

The table below summarizes the after issuance source-wide potential to emit, reflecting all limits, of the emission units. Any control equipment is considered federally enforceable only after issuance of the administrative amendment, and only to the extent that the effect of the control equipment is made practically enforceable in the permit. If the control equipment has been determined to be integral, the table reflects the potential to emit (PTE) after consideration of the integral control device.

	<b>Source-Wide Emissions After Issuance (ton/year)</b>								
	<b>PM<sup>1</sup></b>	<b>PM<sub>10</sub><sup>1</sup></b>	<b>PM<sub>2.5</sub><sup>1,2</sup></b>	<b>SO<sub>2</sub></b>	<b>NO<sub>x</sub></b>	<b>VOC</b>	<b>CO</b>	<b>Single HAP<sup>3</sup></b>	<b>Total HAPs</b>
<b>Total PTE of Entire Source Excluding Fugitives*</b>	80.18	61.15	60.26	0.09	15.37	2.02	13.19	0.29	1.04
Title V Major Source Thresholds	NA	100	100	100	100	100	100	10	25
PSD Major Source Thresholds	250	250	250	250	250	250	250	--	--

<sup>1</sup>Under the Part 70 Permit program (40 CFR 70), PM<sub>10</sub> and PM<sub>2.5</sub>, not particulate matter (PM), are each considered as a "regulated air pollutant."

<sup>2</sup>PM<sub>2.5</sub> listed is direct PM<sub>2.5</sub>.

<sup>3</sup>Single highest source-wide HAP is Hexane

\*Fugitive HAP emissions are always included in the source-wide emissions.

Appendix A of this TSD reflects the detailed potential to emit of the entire source after issuance.

**Federal Rule Applicability Determination**

There are no changes to federal rule applicability due to this amendment.

**State Rule Applicability - Entire Source**

There are no changes to state rule applicability due to this amendment.

**State Rule Applicability – Individual Facilities**

There are no changes to state rule applicability for individual facilities due to this amendment.

**Compliance Determination and Monitoring Requirements**

There are no new or modified compliance requirements included with this administrative amendment.

**Proposed Changes**

The following changes listed below are due to the administrative amendment. Deleted language appears as ~~strikethrough~~ text and new language appears as **bold** text:

- (1) Sections A.2 and D.1 have been amended to delete the descriptions, emissions limits, and compliance requirements for emissions units removed from the facility.

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

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

Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):

\*\*\*\*\*

- (b) Popcorn processing operations, consisting of:

\*\*\*\*\*

- (5) One (1) holding tank area, identified as Unit 010, constructed in 1985, with a maximum throughput of 35 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.
- ~~(6) One (1) tanker tanks area, identified as Unit 011, constructed in 1985, with a maximum throughput of 4 tons per hour. These enclosed tanks are used for storage and load tanker trucks via conveyor and controlled by dust collector DC12 and exhausting to Stack 012.~~
- ~~(7)~~**(6)** One (1) retail packaging area, identified as Unit 012, constructed in 1985, with a maximum throughput of 35 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.
- ~~(8)~~**(7)** One (1) microwave popcorn unit, identified as Unit 013, constructed in 1985, with a maximum throughput of 6.19 tons per hour, controlled by dust collectors ~~DC10,~~**DC-10a and DC-10b**, and exhausting to Stack 010.
- ~~(9)~~**(8)** One (1) retail packaging system, identified as Unit 015, constructed in 1999, with a maximum throughput of 3.125 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.
- ~~(10)~~**(9)** One (1) destoner machine, identified as Unit 008, with a maximum throughput of 1 ton per hour, controlled by dust collector DC7 and exhausting to Stack 008.

\*\*\*\*\*

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

Units located in Weaver Popcorn Company, Inc. (408 West Landess Street):

\*\*\*\*\*

(b) Popcorn processing operations, consisting of:

\*\*\*\*\*

(5) One (1) holding tank area, identified as Unit 010, constructed in 1985, with a maximum throughput of 35 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.

~~(6) One (1) tanker tanks area, identified as Unit 011, constructed in 1985, with a maximum throughput of 4 tons per hour. These enclosed tanks are used for storage and load tanker trucks via conveyor and controlled by dust collector DC12 and exhausting to Stack 012.~~

~~(7)~~(6) One (1) retail packaging area, identified as Unit 012, constructed in 1985, with a maximum throughput of 35 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.

~~(8)~~(7) One (1) microwave popcorn unit, identified as Unit 013, constructed in 1985, with a maximum throughput of 6.19 tons per hour, controlled by dust collectors ~~DC10~~, **DC-10a and DC-10b**, and exhausting to Stack 010.

~~(9)~~(8) One (1) retail packaging system, identified as Unit 015, constructed in 1999, with a maximum throughput of 3.125 tons per hour, controlled by dust collector DC9, and exhausting to Stack 003.

~~(10)~~(9) One (1) destoner machine, identified as Unit 008, with a maximum throughput of 1 ton per hour, controlled by dust collector DC7 and exhausting to Stack 008.

Units located in Weaver Contract Manufacturing, Inc. (4943 N 900 E):

(d) One (1) microwave popcorn unit, identified as EU-001, constructed in 2005, with a maximum throughput of 12,375 pounds of popcorn per hour, controlled by dust collector DC-001, and exhausting through stack SV-001.

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

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

D.1.1 PSD and Part 70 Minor Limits [326 IAC 2-2] [326 IAC 2-8-4]

Pursuant to 326 IAC 2-8-4 (FESOP) and in order to render the requirements of 326 IAC 2-2 (PSD) not applicable, PM, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from the grain elevator and each of the units at the popcorn processing operations shall not exceed the following:

Stack ID	Control Device	PM Emission Limit (lbs/hr)	PM <sub>10</sub> Emission Limit (lbs/hr)	PM <sub>2.5</sub> Emission Limit (lbs/hr)
Stack 001	DC1	2.40	2.11	2.00
FeedBay	DC2	0.03	0.03	0.03

Stack ID	Control Device	PM Emission Limit (lbs/hr)	PM <sub>10</sub> Emission Limit (lbs/hr)	PM <sub>2.5</sub> Emission Limit (lbs/hr)
Stack 009	DC4	1.60	1.55	1.52
Stack 008	DC7	0.07	0.07	0.07
Stack 004	DC5	1.88	1.88	1.88
Stack 007	DC8	2.10	2.10	2.10
Stack 003	DC9	3.19	3.19	3.19
<del>Stack 012</del>	<del>DC12</del>	<del>0.38</del>	<del>0.38</del>	<del>0.38</del>
Stack 010	<del>DC10</del> <b>DC-10a and DC-10b</b>	0.46	0.46	0.46
SV-001	DC-001	0.09	0.09	0.09

Compliance with these limits, combined with the potential to emit PM, PM<sub>10</sub>, and PM<sub>2.5</sub> from other emission units at the source, shall limit the PM emissions from the entire source to less than two hundred fifty (250) tons per twelve (12) consecutive month period and shall limit the PM<sub>10</sub> and PM<sub>2.5</sub> emissions from the entire source to less than one hundred (100) tons per twelve (12) consecutive month period, each, and shall render the requirements of 326 IAC 2-2 (PSD) and 326 IAC 2-7 (Part 70 Program) not applicable.

D.1.2 Particulate Emission Limitations for Manufacturing Processes [326 IAC 6-3-2]

Pursuant to 326 IAC 6-3-2, particulate emissions from each of the following operations shall not exceed the pound per hour limits listed in the table below:

Unit ID	Unit Description	Max. Throughput Rate (tons/hr)	Particulate Emission Limit (lbs/hr)
Unit 016	Grain Elevators	30.0	40.0 (each)
Unit 001	Receiving Area	50.0	44.6
Unit 003	Screening Mills	35.0	41.3 (each)
Units 004 - 007	Separators	10.0	19.2 (each)
Unit 008	Destoner	1	4.1
Unit 009	Color Sorters	35.0	41.3 (each)
Unit 010	Holding Tank	35.0	41.3
<del>Unit 011</del>	<del>Tanker Tanks Area</del>	<del>4.00</del>	<del>40.4</del>
Unit 012	Retail Packaging Area	35.0	41.3
Unit 013	Microwave Popcorn Unit	6.19	13.9
Unit 015	Retail Packaging System	3.13	8.81
EU-001	Microwave Popcorn Unit	6.19	13.9

\*\*\*\*\*

D.1.5 Testing Requirements [326 IAC 2-8-5(a)(1), (4)] [326 IAC 2-1.1-11]

\*\*\*\*\*

- (c) In order to demonstrate compliance with Conditions D.1.1 and D.1.2, the Permittee shall perform PM, PM<sub>10</sub>, and PM<sub>2.5</sub> testing of the dust collectors listed in Group B utilizing methods as approved by the Commissioner at least once every five (5) years from the date of the most recent valid compliance demonstration on one (1) dust collector from Group B, as specified in the table below. A different representative stack test shall be tested during each compliance testing demonstration until such a time that all baghouse exhausts have been tested. The testing cycle shall then begin again with the first baghouse tested. Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

Group B Emission Units		
Unit ID	Unit Description	Dust Collector ID
Unit 013	Microwave Popcorn Unit	<del>DC10</del> <b>DC-10a and DC-10b</b>
EU-001	Microwave Popcorn Unit	DC-001

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

D.1.6 Visible Emissions Notations

- (a) Visible emission notations of the stack exhausts from dust collectors DC1, DC4, DC5, DC8, **DC9, DC-10a, DC-10b**, ~~through DC10,~~ and DC-001 shall be performed once per day during normal daylight operations. A trained employee shall record whether emissions are normal or abnormal.

\*\*\*\*\*

**Conclusion and Recommendation**

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant. An application for the purposes of this review was received on April 30, 2024.

**IDEM Contact**

- (a) If you have any questions regarding this permit, please contact Jeffery Grogan, Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251, or by telephone at (317) 234-2111 or (800) 451-6027, and ask for Jeffery Grogan or (317) 234-2111.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on the Internet at: <https://www.in.gov/idem/airpermit/public-participation/>; and the Citizens' Guide to IDEM on the Internet at: <https://www.in.gov/idem/resources/citizens-guide-to-idem/>.

**Appendix A: Emission Calculations  
Emissions Summary  
Weaver Popcorn Company, Inc.**

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Operation Permit No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

<b>Uncontrolled Potential to Emit (tons per year)</b>										
Operation Description	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NO <sub>x</sub>	VOC	CO	Total HAPs	Worst Single HAP	
Grain Elevator and Popcorn Processing Plant	1,444.33	1,393.26	1,372.98	-	-	-	-	-	-	---
Grain Silos	26.55	8.60	8.60	-	-	-	-	-	-	---
<b>Insignificant Units</b>										
Oven Equipped with Caramel Corn (Unit 014)	*	*	*	0.04	7.19	0.40	6.04	0.14	0.13	Hexane
Printing Press	-	-	-	-	-	0.44	-	-	-	---
Natural Gas Combustion	0.15	0.60	0.60	0.05	7.85	0.43	6.59	0.15	0.14	Hexane
Emergency Generators	1.43E-03	2.91E-03	2.91E-03	8.82E-05	0.33	4.44E-03	0.56	4.82E-03	-	---
Gasoline Dispensing**	-	-	-	-	-	1.06	-	1.06	0.03	Hexane
Insignificant Units Totals	0.15	0.60	0.60	0.09	15.37	2.33	13.19	1.35	0.30	Hexane
<b>TOTAL</b>	<b>1,471.03</b>	<b>1,402.46</b>	<b>1,382.18</b>	<b>0.09</b>	<b>15.37</b>	<b>2.33</b>	<b>13.19</b>	<b>1.35</b>	<b>0.30</b>	<b>Hexane</b>
Grain Elevator Fugitive Emissions***	3.76	1.20	0.20	-	-	-	-	-	-	---
Paved Roads Fugitive Emissions***	0.14	0.03	0.01	-	-	-	-	-	-	---
Unpaved Roads Fugitive Emissions***	28.17	7.18	7.18	-	-	-	-	-	-	---
Total Fugitive Emissions	32.07	8.41	7.39	0.00	0.00	0.00	0.00	0.00	0.00	---

<b>Limited Potential to Emit (tons per year)</b>										
Operation Description	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NO <sub>x</sub>	VOC	CO	Total HAPs	Worst Single HAP	
Grain Elevator and Popcorn Processing Plant	53.48	51.95	51.05	-	-	-	-	-	-	---
Grain Silos	26.55	8.60	8.60	-	-	-	-	-	-	---
<b>Insignificant Units</b>										
Oven Equipped with Caramel Corn (Unit 014)	*	*	*	0.04	7.19	0.40	6.04	0.14	0.13	Hexane
Printing Press	-	-	-	-	-	0.44	-	-	-	---
Natural Gas Combustion	0.15	0.60	0.60	0.05	7.85	0.43	6.59	0.15	0.14	Hexane
Emergency Generators	1.43E-03	2.91E-03	2.91E-03	8.82E-05	0.33	4.44E-03	0.56	4.82E-03	-	---
Insignificant Gasoline Dispensing**	-	-	-	-	-	0.75	-	0.75	0.02	Hexane
Insignificant Units Totals	0.15	0.60	0.60	0.09	15.37	2.02	13.19	1.04	0.29	Hexane
<b>TOTAL</b>	<b>80.18</b>	<b>61.15</b>	<b>60.26</b>	<b>0.09</b>	<b>15.37</b>	<b>2.02</b>	<b>13.19</b>	<b>1.04</b>	<b>0.29</b>	<b>Hexane</b>
Grain Elevator Fugitive Emissions***	3.76	1.20	0.20	-	-	-	-	-	-	---
Paved Roads Fugitive Emissions***	0.07	0.01	3.51E-03	-	-	-	-	-	-	---
Unpaved Roads Fugitive Emissions***	14.09	3.59	3.59	-	-	-	-	-	-	---
Total Fugitive Emissions	17.92	4.81	3.80	0.00	0.00	0.00	0.00	0.00	0.00	---

\* The PM, PM<sub>10</sub>, and PM<sub>2.5</sub> calculations for Unit 014 are included in the Popcorn Processing Plant calculations.

\*\* Emissions from gasoline dispensing were made using the EPA TANKS program. Total HAP emissions assumed equal to VOC emissions. Gasoline vapors assumed to have hexane content 2.4%.

\*\*\* Fugitive emissions are not counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

**Appendix A: Emission Calculations  
Emissions Summary of Amendment  
Weaver Popcorn Company, Inc.**

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Administrative Amendment No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

**PTE Change of Proposed Amendment (tons/year)**

Process/ Emission Unit	PM*	PM10	PM2.5**	SO2	NOx	VOC	CO	Single HAP***	Combined HAPs
Tanker Tanks - 011	0.318	0.318	0.318	-	-	-	-	-	-
PTE Change of the Grain Elevator and Popcorn Processing Plant	-0.318	-0.318	-0.318	-	-	-	-	-	-
<b>Total PTE of Proposed Amendment</b>	<b>0</b>	<b>0</b>							
Minor Permit Revision Thresholds	5	5	5	10	10	10	25	1	5

\*Under the Part 70 Permit program (40 CFR 70), PM10 and PM2.5, not particulate matter (PM), are each considered as a "regulated air pollutant."

\*\*PM2.5 listed is direct PM2.5.

\*\*\*Single highest source-wide HAP.

<sup>1</sup>PTE for Units 014 retrieved from TSD Appendix A for FESOP Renewal No.: 053-44220-00033

<sup>2</sup>The popcorn processing plant was modified to remove the caramel corn line, identified as emission unit 014, resulting in a decrease in annual emission for all regulated pollutants. Therefore, the net emissions increase from this change is zero.

<sup>3</sup>The popcorn processing plant was modified to remove one natural gas fired emergency generator with maximum capacity of 50 kW, resulting in a decrease in annual emission for all regulated pollutants. Therefore, the net emissions increase from this change is zero.

**Appendix A: Emission Calculations**  
**Particulate Emissions**  
**Grain Elevator and Popcorn Unit**

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Operation Permit No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

Operation Description	Max. Throughput Rate (tons/hr)	Uncont. PM Emission Factor (lbs/ton)	Uncont. PTE of PM (lbs/hr)	Uncont. PTE of PM (tons/yr)	Uncont. PM <sub>10</sub> Emission Factor (lbs/ton)	Uncont. PTE of PM <sub>10</sub> (lbs/hr)	Uncont. PTE of PM <sub>10</sub> (tons/yr)	Uncont. PM <sub>2.5</sub> Emission Factor (lbs/ton)	Uncont. PTE of PM <sub>2.5</sub> (lbs/hr)	Uncont. PTE of PM <sub>2.5</sub> (tons/yr)	Capture Efficiency	Fugitive Emissions PM (tons/yr)	Fugitive Emissions PM <sub>10</sub> (tons/yr)	Fugitive Emissions PM <sub>2.5</sub> (tons/yr)
Grain Receiving (Truck)	30.0	0.18	5.40	23.7	0.059	1.77	7.75	0.010	0.30	1.31	95.0%	1.18	0.39	0.07
Grain Drying	30.0	0.22	6.60	28.9	0.055	1.65	7.23	0.0094	0.28	1.24	95.0%	1.45	0.36	0.06
Internal Operations	30.0	0.061	1.83	8.02	0.034	1.02	4.47	0.0058	0.17	0.76	95.0%	0.40	0.22	0.04
Bin Loading	30.0	0.025	0.75	3.29	0.0063	0.19	0.83	0.0011	0.03	0.14	95.0%	0.16	0.04	0.01
Grain Shipping (Truck)	30.0	0.086	2.58	11.3	0.029	0.87	3.81	0.0049	0.15	0.64	95.0%	0.57	0.19	0.03
<b>TOTAL</b>		<b>0.572</b>	<b>17.2</b>	<b>75.2</b>	<b>0.1833</b>	<b>5.50</b>	<b>24.1</b>	<b>0.0312</b>	<b>0.94</b>	<b>4.10</b>		<b>3.76</b>	<b>1.20</b>	<b>0.20</b>

Unit Description/Unit ID	Max. Throughput Rate (tons/hr)	PM EF (lbs/ton)	Unlimited PTE of PM (lbs/hr)	Unlimited PTE of PM (tons/yr)	Unlimited PM <sub>10</sub> EFr (lbs/ton)	Unlimited PTE of PM <sub>10</sub> (lbs/hr)	Unlimited PTE of PM <sub>10</sub> (tons/yr)	Unlimited PM <sub>2.5</sub> EF (lbs/ton)	Unlimited PTE of PM <sub>2.5</sub> (lbs/hr)	Unlimited PTE of PM <sub>2.5</sub> (tons/yr)	Control Device	Control Efficiency (%)	PTE of PM After Control (lbs/hr)	PTE of PM After Control (tons/yr)	PTE of PM <sub>10</sub> After Control (lbs/hr)	PTE of PM <sub>10</sub> After Control (tons/yr)	PTE of PM <sub>2.5</sub> After Control (lbs/hr)	PTE of PM <sub>2.5</sub> After Control (tons/yr)	Limited PM (tons/yr)	Limited PM <sub>10</sub> (tons/yr)	Limited PM <sub>2.5</sub> (tons/yr)	Stack lb/hr limits		
																						DC1	DC2	DC3
Receiving Area -001	50.0	0.789	39.45	172.79	0.7890	39.45	172.79	0.7890	39.45	172.79	DC1	95.0%	1.97	8.64	1.97	8.64	1.97	8.64	8.64	8.64	8.64	2.40	2.11	2.00
Grain Elevator - 016	30.0	0.572	17.16	75.16	0.1833	5.50	24.09	0.0312	0.94	4.10	DC4	95.0%	0.99	3.38	0.03	0.12	0.005	0.02	0.38	0.12	0.02	0.03	0.03	0.03
Screening Mill #2 - 003	35.0	0.096	3.36	14.72	0.0960	3.36	14.72	0.0960	3.36	14.72	DC9	95.0%	0.17	0.74	0.17	0.74	0.17	0.74	0.74	0.74	0.74	0.03	0.03	0.03
Screening Mill #1 - 003	35.0	0.096	3.36	14.72	0.0960	3.36	14.72	0.0960	3.36	14.72	DC4	95.0%	0.17	0.74	0.17	0.74	0.17	0.74	0.74	0.74	0.74	0.03	0.03	0.03
Color Sorter #1 - 008	35.0	0.386	13.51	59.17	0.3860	13.51	59.17	0.3860	13.51	59.17	DC4	95.0%	0.68	2.96	0.68	2.96	0.68	2.96	2.96	2.96	2.96	Closed Loop - No emissions		
Color Sorter #2 -009	35.0	0.386	13.51	59.17	0.3860	13.51	59.17	0.3860	13.51	59.17	DC4	95.0%	0.68	2.96	0.68	2.96	0.68	2.96	2.96	2.96	2.96	1.60	1.55	1.52
Color Sorter #3 -009	35.0	0.386	13.51	59.17	0.3860	13.51	59.17	0.3860	13.51	59.17	DC9	95.0%	0.68	2.96	0.68	2.96	0.68	2.96	2.96	2.96	2.96	1.60	1.55	1.52
Separator #4 -004	10.0	3.760	37.60	164.69	3.7600	37.60	164.69	3.7600	37.60	164.69	DC5	95.0%	1.88	8.23	1.88	8.23	1.88	8.23	8.23	8.23	8.23	1.88	1.88	1.88
Separator #2 -005	10.0	4.250	42.50	186.15	4.2500	42.50	186.15	4.2500	42.50	186.15	DC3**	100.0%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Separator #3 -006	10.0	3.860	38.60	169.07	3.8600	38.60	169.07	3.8600	38.60	169.07	DC6**	100.0%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Separator #1 -007	10.0	3.780	37.80	165.56	3.7800	37.80	165.56	3.7800	37.80	165.56	DC8	95.0%	1.89	8.28	1.89	8.28	1.89	8.28	8.28	8.28	8.28	Closed Loop - No emissions		
Destoner -008	1.00	0.330	0.33	1.45	0.3300	0.33	1.45	0.3300	0.33	1.45	DC7	78.6%	0.07	0.31	0.07	0.31	0.07	0.31	0.31	0.31	0.31	0.07	0.07	0.07
Holding Tank -010	35.0	0.119	4.17	18.24	0.1190	4.17	18.24	0.1190	4.17	18.24	DC9	95.0%	0.21	0.91	0.21	0.91	0.21	0.91	0.91	0.91	0.91	0.07	0.07	0.07
Retail Packaging -012	35.0	1.220	42.70	187.03	1.2200	42.70	187.03	1.2200	42.70	187.03	DC9	95.0%	2.14	9.35	2.14	9.35	2.14	9.35	9.35	9.35	9.35	0.07	0.07	0.07
Microwave Popcorn -013	6.19	1.480	9.16	40.13	1.4800	9.16	40.13	1.4800	9.16	40.13	DC-10a and DC-10b	95.0%	0.46	2.01	0.46	2.01	0.46	2.01	2.01	2.01	2.01	DC9		
Retail Packaging -015	3.13	1.220	3.81	16.70	1.2200	3.81	16.70	1.2200	3.81	16.70	DC9	95.0%	0.19	0.83	0.19	0.83	0.19	0.83	0.83	0.83	0.83	DC-10a and DC-10b		
MW Popcorn EU-001	6.19	1.480	9.16	40.11	1.4800	9.16	40.11	1.4800	9.16	40.11	DC-001	95.0%	0.46	2.01	0.46	2.01	0.46	2.01	2.01	2.01	2.01	0.46	0.46	0.46
Feed Bay*** -020	2.00	0.035	0.07	0.31	0.0078	0.02	0.31	0.0013	0.00	0.01	DC2	95.0%	0.03	0.03	0.03	0.03	0.025	0.03	0.31	0.31	0.01	0.46	0.46	0.46
<b>TOTAL</b>			<b>1,444.33</b>			<b>1,393.26</b>			<b>1,372.98</b>					<b>53.20</b>		<b>51.67</b>		<b>51.07</b>	<b>53.48</b>	<b>51.95</b>	<b>51.05</b>			

Control Device	PM Emission Limit (lbs/hr)	PM <sub>10</sub> Emission Limit (lbs/hr)	PM <sub>2.5</sub> Emission Limit (lbs/hr)
DC1	2.40	2.11	2.00
DC4	1.60	1.55	1.52
DC7	0.07	0.07	0.07
DC5	1.88	1.88	1.88
DC3	0.00	0.00	0.00
DC6	0.00	0.00	0.00
DC8	1.89	1.89	1.89
DC9	3.19	3.19	3.19
DC10	0.46	0.46	0.46
DC-001	0.46	0.46	0.46

**Notes:**

- Emission factors are from AP-42, Chapter 9.9.1 - Grain Elevators, Table 9.9.1-1 (03/03) and/or the TSD for F053-14282-00033, issued on 12/12/01.
- \* The unlimited emission factors for the grain elevator (Unit 016) are from the "Uncontrolled Potential to Emit" table above. The emissions are divided evenly across control devices DC1 and DC4.
- \*\*DC 3 and DC 6 are closed loop systems. Air continually recirculates from the separators and dust collectors and does not exhaust to the outside.
- \*\*\* The unlimited emission factors for the Caramel Popcorn Unit (Unit 014) are from the TSD for F053-23130-00033, issued on 6/4/07.
- \*\*\*\* Emission units shaded in gray are not limited.
- \*\*\*\*\*The Feed Bay (Unit 020) operation occurs at the same location as the grain receiving operation, but the operations are mutually exclusive. The Feed Bay (Unit 020) operation is for loading unused grain on trucks to be shipped offsite to a hog farm.

**Methodology:**

- Uncontrolled PTE (lbs/hr) = Max. Throughput Rate (tons/hr) x Uncontrolled Emission Factor (lbs/ton)
- Uncontrolled PTE (tons/yr) = Max. Throughput Rate (tons/hr) x Uncontrolled Emission Factor (lbs/ton) x 8760 hrs/yr + 2000 lb/ton
- Unlimited PTE (lbs/hr) = Max. Throughput Rate (tons/hr) x Uncontrolled Emission Factor (lbs/ton)
- Unlimited PTE (tons/yr) = Max. Throughput Rate (tons/hr) x Uncontrolled Emission Factor (lbs/ton) + 2000 lb/ton
- PTE After Control (lbs/hr) = Unlimited PTE (lbs/hr) x (1 - Control Efficiency)
- PTE After Control (tons/yr) = Unlimited PTE (tons/yr) x (1 - Control Efficiency)

**Appendix A: Emissions Calculations**  
**Grain Elevator (All Types)**

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Operation Permit No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

**Step 1. Grain Received:** Convert (bushels per year) to (tons per hour) using the following conversion factors, skip this conversion if grain received given in tons per hour.

Grain	bushels/year	hours of operation	bushels/hr	lbs / bushel	lbs / hour	Grain Throughput (tons/hr)
Wheat / Soy	0	8760	0.00	60	0	0.000
Corn / Rye	0	8760	0.00	56	0	0.000
Barley	0	8760	0.00	48	0	0.000
Rice	0	8760	0.00	45	0	0.000
Oat	0	8760	0.00	32	0	0.000
<b>Maximum Grain Received (tons of grain handled or processed per hour)* =</b>						<b>20.830</b>

\* = 1,000,000 lbs/day (1day/24hrs)

**Step 2. Select appropriate Emission Factors.** Choose the emission factor for each process based on the type of operations conducted at the individual source. Enter each factor chosen in the shaded boxes\* below the table, and the emission factors will be automatically transferred to the emission calculation table.

UNLOADING/RECEIVING								SHIPPING							
Straight Truck		Hopper Truck		Railcar		Barge/Ship		Truck (unspecified)		Railcar		Barge		Ship	
PM	PM-10	PM	PM-10	PM	PM-10	PM	PM-10	PM	PM-10	PM	PM-10	PM	PM-10	PM	PM-10
0.18	0.059	0.035	0.0078	0.032	0.0078	0.15	0.038	0.086	0.029	0.027	0.0022	0.016	0.0040	0.048	0.012
UNLOADING/RECEIVING								SHIPPING							
PM =		0.18		PM-10 =		0.059		PM =		0.086		PM-10 =		0.029	

Factor representing this source\* =

**Step 3. Emission Calculations.** Indicate the number of steps in the headhouse/internal handling process because the emissions for each step must be included in the total PM and PM-10 emissions (i.e., if the headhouse and internal handling consists of the legs, a gallery belt, and a tripper/distributor, there are 3 steps in the headhouse/internal handling process).

Total number of steps in headhouse =  Resulting throughput for headhouse/internal handling in tons/hr (number of steps \* throughput) = 20.83

	UNLOADING/ RECEIVING		STORAGE BIN (vent)***		ONSITE TRANSFER^	
	PM	PM-10	PM	PM-10	PM	PM-10
Emission Factor (lb/ton)	0.18	0.059	0.025	0.0063	0.086	0.029
Potential Emissions (tons/year)	16.4	5.4	2.3	0.6	7.8	2.6
Overall Control Efficiency (%)	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Controlled Potential Emissions (tons/yr)	16.4	5.4	2.3	0.6	7.8	2.6

\*\* The PM-10 emission factors given for cleaning and drying are estimated by taking 25% of the filterable PM emission factor in accordance with AP-42 Section 9.9.1, Table 9.9.1-1, Footnote n.

\*\*\* The PM emission factor given for storage is from AP-42 Section 9.9.1 (03/2003).

Some of the factors presented are based on controlled emission factors which were divided by (1-assumed control efficiency) so that uncontrolled emissions could be calculated. The cyclone control efficiency is assumed to be 90%.

^Used to estimate emissions from transfer of corn from silos to plant

**Methodology**

Emission factors are from AP 42 Table 9.9.1-1 Particulate Emission Factors for Grain Elevators (3/03)

Potential Emissions (ton/yr) = Throughput (ton/hr) \* Emission factor (lb/ton) \* 8760 (hours/year) / 2000 (lbs/ton)

Controlled Potential Emissions (ton/yr) = Throughput (ton/hr) \* Emission factor (lb/ton) \* 8760 (hours/year) / 2000 (lbs/ton) \* (1-Control Efficiency)

**Step 4. Sum all emissions from processes.**

	PM	PM-10
<b>Total Uncontrolled Emissions (tons/year)</b>	<b>26.55</b>	<b>8.60</b>
<b>Total Controlled Emissions (tons/year)</b>	<b>26.55</b>	<b>8.60</b>

**Appendix A: Emission Calculations**  
**Natural Gas Combustion**  
**MMBtu/hr <100**  
**16.75 MMBtu/hr Oven Equipped with the Caramel Corn Unit (Unit 014)**

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Operation Permit No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

Heat Input Capacity MMBtu/hr	HHV MMBtu MMscf	Potential Throughput MMcf/yr
16.75	1020	143.9

Emission Factor (lb/MMcf)	Pollutant						
	PM*	PM <sub>10</sub> *	direct PM <sub>2.5</sub> *	SO <sub>2</sub>	NO <sub>x</sub>	VOC	CO
	1.9	7.6	7.6	0.6	100 **see below	5.5	84
Potential Emissions (tons/yr)	See Note	See Note	See Note	0.04	7.19	0.40	6.04

Note: The PM, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from the Caramel Corn Unit (Unit 014) are calculated in page 2 of Appendix A.

\* PM emission factor is filterable PM only. PM<sub>10</sub> emission factor is filterable and condensable PM<sub>10</sub> combined.  
 PM<sub>2.5</sub> emission factor is filterable and condensable PM<sub>2.5</sub> combined.  
 \*\* Emission Factors for NO<sub>x</sub>: Uncontrolled = 100, Low NO<sub>x</sub> Burner = 50, Low NO<sub>x</sub> Burners/Flue gas recirculation = 32

**Methodology**

All emission factors are based on normal firing.  
 MMBtu = 1,000,000 Btu  
 MMcf = 1,000,000 Cubic Feet of Gas  
 Emission factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03.  
 Potential Throughput (MMcf) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr ÷ HHV (MMBtu/MMcf)  
 Potential Emissions (tons/yr) = Potential Throughput (MMcf/yr) x Emission Factor (lb/MMcf) ÷ 2,000 lb/ton

**Hazardous Air Pollutants (HAPs)**

	HAPs - Organics				
	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
Emission Factor (lb/MMcf)	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emissions (tons/yr)	1.5E-04	8.6E-05	5.4E-03	1.3E-01	2.4E-04

  

	HAPs - Metals				
	Lead	Cadmium	Chromium	Manganese	Nickel
Emission Factor (lb/MMcf)	5.0E-04	1.1E-03	1.4E-03	3.8E-04	2.1E-03
Potential Emissions (tons/yr)	3.6E-05	7.9E-05	1.0E-04	2.7E-05	1.5E-04

  

<b>TOTAL:</b>	<b>0.14</b>	<b>tons/yr</b>
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**Methodology:**

Methodology is the same as page 4.  
 The five highest organic and metal HAPs emission factors are provided above.  
 Additional HAPs emission factors are available in AP-42, Chapter 1.4.

**Greenhouse Gases**

	Greenhouse Gas		
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O
Emission Factor (lb/MMcf)	120,000	2.3	2.2
Potential Emissions (tons/yr)	8,631	0.17	0.16
Summed Potential Emissions (tons/yr)	8,632		
CO <sub>2</sub> e Total (tons/yr)	8,684		

**Methodology:**

The N<sub>2</sub>O Emission Factor for uncontrolled is 2.2. The N<sub>2</sub>O Emission Factor for low NO<sub>x</sub> burner is 0.64.  
 Emission Factors are from AP 42, Table 1.4-2 SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03.  
 Greenhouse Warming Potentials (GWP) from Table A-1 of 40 CFR Part 98 Subpart A.  
 Potential Emissions (tons/yr) = Throughput (MMcf/yr) x Emission Factor (lb/MMcf) ÷ 2,000 lb/ton  
 CO<sub>2</sub>e (tons/yr) = CO<sub>2</sub> Potential Emissions (tpy) x CO<sub>2</sub> GWP (1) + CH<sub>4</sub> Potential Emissions (tpy) x CH<sub>4</sub> GWP (21) + N<sub>2</sub>O Potential Emissions (tpy) x N<sub>2</sub>O GWP (310)

**Appendix A: Emission Calculations  
Natural Gas Combustion  
MMBtu/hr <100  
Insignificant Combustion Units**

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Operation Permit No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

Heat Input Capacity MMBtu/hr	HHV MMBtu MMscf	Potential Throughput MMcf/yr
18.28	1020	157.0

Emission Factor (lb/MMcf)	Pollutant						
	PM*	PM <sub>10</sub> *	direct PM <sub>2.5</sub> *	SO <sub>2</sub>	NO <sub>x</sub>	VOC	CO
	1.9	7.6	7.6	0.6	100 **see below	5.5	84
Potential Emissions (tons/yr)	0.15	0.60	0.60	0.05	7.85	0.43	6.59

\* PM emission factor is filterable PM only. PM<sub>10</sub> emission factor is filterable and condensable PM<sub>10</sub> combined.

PM<sub>2.5</sub> emission factor is filterable and condensable PM<sub>2.5</sub> combined.

\*\* Emission Factors for NO<sub>x</sub>: Uncontrolled = 100, Low NO<sub>x</sub> Burner = 50, Low NO<sub>x</sub> Burners/Flue gas recirculation = 32

**Methodology:**

All emission factors are based on normal firing.

MMBtu = 1,000,000 Btu

MMcf = 1,000,000 Cubic Feet of Gas

Emission factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03.

Potential Throughput (MMcf) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr ÷ HHV (MMBtu/MMcf)

Potential Emissions (tons/yr) = Potential Throughput (MMcf/yr) x Emission Factor (lb/MMcf) ÷ 2,000 lb/ton

**Hazardous Air Pollutants (HAPs)**

Emission Factor (lb/MMcf)	HAPs - Organics				
	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene
	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03
Potential Emissions (tons/yr)	1.6E-04	9.4E-05	5.9E-03	1.4E-01	2.7E-04

Emission Factor (lb/MMcf)	HAPs - Metals				
	Lead	Cadmium	Chromium	Manganese	Nickel
	5.0E-04	1.1E-03	1.4E-03	3.8E-04	2.1E-03
Potential Emissions (tons/yr)	3.9E-05	8.6E-05	1.1E-04	3.0E-05	1.6E-04

<b>TOTAL:</b>	<b>0.15</b>	<b>tons/yr</b>
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**Methodology:**

Methodology is the same as page 1.

The five highest organic and metal HAPs emission factors are provided above.

Additional HAPs emission factors are available in AP-42, Chapter 1.4.

**Greenhouse Gases**

Emission Factor (lb/MMcf)	Greenhouse Gas		
	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O
	120,000	2.3	2.2
Potential Emissions (tons/yr)	9,420	0.18	0.17
Summed Potential Emissions (tons/yr)	9,420		
CO <sub>2</sub> e Total (tons/yr)	9,477		

**Methodology:**

The N<sub>2</sub>O Emission Factor for uncontrolled is 2.2. The N<sub>2</sub>O Emission Factor for low NO<sub>x</sub> burner is 0.64.

Emission Factors are from AP 42, Table 1.4-2 SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03.

Greenhouse Warming Potentials (GWP) from Table A-1 of 40 CFR Part 98 Subpart A.

Potential Emissions (tons/yr) = Throughput (MMcf/yr) x Emission Factor (lb/MMCF) ÷ 2,000 lb/ton

CO<sub>2</sub>e (tons/yr) = CO<sub>2</sub> Potential Emissions (tpy) x CO<sub>2</sub> GWP (1) + CH<sub>4</sub> Potential Emissions (tpy) x CH<sub>4</sub> GWP (21) + N<sub>2</sub>O Potential Emissions (tpy) x N<sub>2</sub>O GWP (310)

**Appendix A: Emission Calculations  
Reciprocating Internal Combustion Engines - Natural Gas  
4-Stroke Rich-Burn (4SRB) Engines**

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Operation Permit No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

Maximum Heat Input Capacity (MMBtu/hr)	0.60
Maximum Hours Operated per Year (hr/yr)	500
Potential Fuel Usage (MMBtu/yr)	300
High Heat Value (MMBtu/MMscf)	1020
Potential Fuel Usage (MMcf/yr)	0.29

Criteria Pollutants	Pollutant						
	PM*	PM10*	PM2.5*	SO2	NOx	VOC	CO
Emission Factor (lb/MMBtu)	9.50E-03	1.94E-02	1.94E-02	5.88E-04	2.21E+00	2.96E-02	3.72E+00
Potential Emissions (tons/yr)	0.0014	0.00	0.00	0.000	0.33	0.00	0.56

\*PM emission factor is for filterable PM-10. PM10 emission factor is filterable PM10 + condensable PM.  
 PM2.5 emission factor is filterable PM2.5 + condensable PM.

**Hazardous Air Pollutants (HAPs)**

Pollutant	Emission Factor (lb/MMBtu)	Potential Emissions (tons/yr)
Acetaldehyde	2.79E-03	0.000
Acrolein	2.63E-03	0.000
Benzene	1.58E-03	0.000
1,3-Butadiene	6.63E-04	0.000
Formaldehyde	2.05E-02	0.003
Methanol	3.06E-03	0.000
Total PAH**	1.41E-04	0.000
Toluene	5.58E-04	0.000
Xylene	1.95E-04	0.000
<b>Total</b>		<b>0.00</b>

HAP pollutants consist of the nine highest HAPs included in AP-42 Table 3.2-3.  
 \*\*PAH = Polycyclic Aromatic Hydrocarbon (PAHs are considered HAPs, since they are considered Polycyclic Organic Matter)

**Methodology**

Emission Factors are from AP-42 (Supplement F, July 2000), Table 3.2-3  
 Potential Fuel Usage (MMBtu/yr) = [Maximum Heat Input Capacity (MMBtu/hr)] \* [Maximum Hours Operating per Year (hr/yr)]  
 Potential Emissions (tons/yr) = [Potential Fuel Usage (MMBtu/yr)] \* [Emission Factor (lb/MMBtu)] / [2000 lb/ton]

Greenhouse Gases (GHGs)	Greenhouse Gas (GHG)		
	CO2	CH4	N2O
Emission Factor in lb/MMBtu*	110	1.25	2.2
Emission Factor in lb/MMcf**			
Potential Emission in tons/yr	16.50	0.19	0.00
Summed Potential Emissions in tons/yr	16.69		
CO2e Total in tons/yr	20.54		

**Methodology**

\*The CO2 and CH4 emission factors are from Emission Factors from AP-42 (Supplement F, July 2000), Table 3.2-2  
 \*\*The N2O emission factor is from AP 42, Table 1.4-2. The N2O Emission Factor for uncontrolled is 2.2. The N2O Emission Factor for low Nox burner is 0.64.  
 Greenhouse Warming Potentials (GWP) from Table A-1 of 40 CFR Part 98 Subpart A.  
 For CO2 and CH4: Emission (tons/yr) = [Potential Fuel Usage (MMBtu/yr)] \* [Emission Factor (lb/MMBtu)] / [2,000 lb/ton]  
 For N2O: Emission (tons/yr) = [Potential Fuel Usage (MMCF/yr)] \* [Emission Factor (lb/MMCF)] / [2,000 lb/ton]  
 CO2e (tons/yr) = CO2 Potential Emission ton/yr x CO2 GWP (1) + CH4 Potential Emission ton/yr x CH4 GWP (21) + N2O Potential Emission ton/yr x N2O GWP (310).

**Abbreviations**

PM = Particulate Matter	NOx = Nitrous Oxides	CO2 = Carbon Dioxide
PM10 = Particulate Matter (<10 um)	VOC = Volatile Organic Compounds	CH4 = Methane
SO2 = Sulfur Dioxide	CO = Carbon Monoxide	N2O = Nitrous Oxide
		CO2e = CO2 equivalent emissions

**Appendix A: Emissions Calculations  
VOC From Printing Press Operations\***

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Operation Permit No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

THROUGHPUT		
Press I.D.	MAXIMUM INK Usage (GALLONS/HOUR)	GALLONS/YEAR
Microwave	2	17520

INK VOCS					
Ink Name	Density (lbs/gallon)	Weight % Volatiles**	Flash Off %	Throughput (Gallons/Year)	Emissions (TONS/YEAR)
178201 A-Pop Secret Blue	9.0	0.46%	100%	17520	0.36
177011 A-Pop Secret Yellow	9.0	0.18%	100%	17520	0.14
PW GR 286C Blue	9.0	0.42%	100%	17520	0.33
Adhesive					
Producer 33-9138	9.0	0.10%	100%	17520	0.08
Producer 32-095A	9.0	0.10%	100%	17520	0.08

Total VOC Emissions =	0.44	Ton/yr
Total VOC Emissions =	2.42	lbs/day

\*Due to concerns about confidential business information, VOC was calculated using maximum gallons of ink used per hour rather maximum coverage

\*VOC (Tons/Year) = Maximum Coverage pounds per MMin<sup>2</sup> \* Weight % volatiles (weight % of water & organics - weight % of water = weight % organics) \* Flash off \* Throughput \* 1 Ton per 2000 pounds

**METHODOLOGY**

Throughput = Maximum gallons of ink per hour \* 24 hours per day \* 365 days per year = gallons per Year

VOC = Density \* Weight percentage volatiles (water minus organics) \* Flash off \* Throughput \* Tons per 2000 pounds = Tons per Year

Worst case scenario assumes 100% usage of highest emitting ink and adhesive

NOTE: HEAT SET OFFSET PRINTING HAS AN ASSUMED FLASH OFF OF 80%. OTHER TYPES OF PRINTERS HAVE A FLASH OFF OF 130%.

(Source -OAQPS Draft Guidance, "Control of Volatile Organic Compound Emissions from Offset Lithographic Printing (9/93) )

**Appendix A: Emission Calculations  
Fugitive Dust Emissions  
Paved Roads**

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Operation Permit No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

**Paved Roads at Industrial Site**

The following calculations determine the amount of emissions created by paved roads, based on 8,760 hours of use and AP-42, Ch 13.2.1 (1/2011).

Vehicle Information (provided by source)

Type	Maximum number of vehicles per day	Number of one-way trips per day per vehicle	Maximum trips per day (trip/day)	Maximum Weight Loaded (tons/trip)	Total Weight driven per day (ton/day)	Maximum one-way distance (feet/trip)	Maximum one-way distance (mi/trip)	Maximum one-way miles (miles/day)	Maximum one-way miles (miles/yr)
Vehicle (entering plant) (one-way trip)	10.0	1.0	10.0	22.0	220.0	1400	0.265	2.7	967.8
Vehicle (leaving plant) (one-way trip)	10.0	1.0	10.0	22.0	220.0	1400	0.265	2.7	967.8
<b>Total</b>			<b>20.0</b>		<b>440.0</b>			<b>5.3</b>	<b>1935.6</b>

Average Vehicle Weight Per Trip =  $\frac{220.0}{10.0}$  tons/trip  
Average Miles Per Trip =  $\frac{5.3}{20.0}$  miles/trip

Unmitigated Emission Factor,  $E_f = [k * (sL)^{0.91} * (W)^{1.02}]$  (Equation 1 from AP-42 13.2.1)

	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	
where k =	0.011	0.0022	0.00054	lb/VMT = particle size multiplier (AP-42 Table 13.2.1-1)
W =	22.0	22.0	22.0	tons = average vehicle weight (provided by source)
sL =	0.6	0.6	0.6	g/m <sup>2</sup> = ubiquitous baseline silt loading value for ADT < 500 - Table 13.2.1-2)

Taking natural mitigation due to precipitation into consideration, Mitigated Emission Factor,  $E_{ext} = E * [1 - (p/4N)]$  (Equation 2 from AP-42 13.2.1)

Mitigated Emission Factor,  $E_{ext} = E_f * [1 - (p/4N)]$   
where p =  $\frac{125}{365}$  days of rain greater than or equal to 0.01 inches (see Fig. 13.2.1-2)  
N = 365 days per year

	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	
Unmitigated Emission Factor, $E_f =$	0.162	0.032	0.0079	lb/mile
Mitigated Emission Factor, $E_{ext} =$	0.148	0.030	0.0073	lb/mile
Dust Control Efficiency =	50%	50%	50%	(pursuant to control measures outlined in fugitive dust control plan)

Process	Mitigated PTE of PM (tons/yr)	Mitigated PTE of PM <sub>10</sub> (tons/yr)	Mitigated PTE of PM <sub>2.5</sub> (tons/yr)	Controlled PTE of PM (tons/yr)	Controlled PTE of PM <sub>10</sub> (tons/yr)	Controlled PTE of PM <sub>2.5</sub> (tons/yr)
Vehicle (entering plant) (one-way trip)	0.07	0.01	0.00	0.04	0.01	0.00
Vehicle (leaving plant) (one-way trip)	0.07	0.01	0.00	0.04	0.01	0.00
	<b>0.14</b>	<b>0.03</b>	<b>0.01</b>	<b>0.07</b>	<b>0.01</b>	<b>0.00</b>

**Methodology**

Total Weight driven per day (ton/day) = [Maximum Weight Loaded (tons/trip)] \* [Maximum trips per day (trip/day)]  
Maximum one-way distance (mi/trip) = [Maximum one-way distance (feet/trip)] / [5280 ft/mile]  
Maximum one-way miles (miles/day) = [Maximum trips per year (trip/day)] \* [Maximum one-way distance (mi/trip)]  
Average Vehicle Weight Per Trip (ton/trip) = SUM[Total Weight driven per day (ton/day)] / SUM[Maximum trips per day (trip/day)]  
Average Miles Per Trip (miles/trip) = SUM[Maximum one-way miles (miles/day)] / SUM[Maximum trips per year (trip/day)]  
Mitigated PTE (tons/yr) = (Maximum one-way miles (miles/yr)) \* (Mitigated Emission Factor (lb/mile)) \* (ton/2000 lbs)  
Controlled PTE (tons/yr) = (Mitigated PTE (tons/yr)) \* (1 - Dust Control Efficiency)

**Appendix A: Emission Calculations  
Fugitive Dust Emissions - Unpaved Roads  
Unpaved Roads**

**Company Name:** Weaver Popcorn Company, Inc.  
**Source Address:** 408 West Landess Street and 4943 N 900 E, Van Buren, IN 46991  
**Operation Permit No.:** 053-47788-00033  
**Permit Reviewer:** Jeffery Grogan

**Unpaved Roads at Industrial Site**

The following calculations determine the amount of emissions created by unpaved roads, based on 8,760 hours of use and AP-42, Ch 13.2.2 (11/2006).

Vehicle Information (provided by source)

Type	Maximum number of vehicles	Number of one-way trips per day per vehicle	Maximum trips per day (trip/day)	Maximum Weight Loaded (tons/trip)	Total Weight driven per day (ton/day)	Maximum one-way distance (feet/trip)	Maximum one-way distance (mi/trip)	Maximum one-way miles (miles/day)	Maximum one-way miles (miles/yr)
Vehicle (entering plant) (one-way trip)	70.0	1.0	70.0	22.0	1540.0	1400	0.265	18.6	6774.6
Vehicle (leaving plant) (one-way trip)	70.0	1.0	70.0	22.0	1540.0	1400	0.265	18.6	6774.6
<b>Total</b>			<b>140.0</b>		<b>3080.0</b>			<b>37.1</b>	<b>13549.2</b>

Average Vehicle Weight Per Trip =  $\frac{22.0}{1.0}$  tons/trip  
 Average Miles Per Trip =  $\frac{0.27}{1.0}$  miles/trip

Unmitigated Emission Factor,  $E_f = k \cdot [(s/12)^a] \cdot [(W/3)^b]$  (Equation 1a from AP-42 13.2.2)

	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	
where k =	4.9	1.5	1.5	lb/mi = particle size multiplier (AP-42 Table 13.2.2-2 for Industrial Roads)
s =	4.8	4.8	4.8	% = mean % silt content of unpaved roads (AP-42 Table 13.2.2-1 Sand/Gravel Processing Plant)
a =	0.7	0.9	0.9	= constant (AP-42 Table 13.2.2-2 for Industrial Roads)
W =	22.0	22.0	22.0	tons = average vehicle weight (provided by source)
b =	0.45	0.45	0.45	= constant (AP-42 Table 13.2.2-2 for Industrial Roads)

Taking natural mitigation due to precipitation into consideration, Mitigated Emission Factor,  $E_{ext} = E \cdot [(365 - P)/365]$  (Equation 2 from AP-42 13.2.2)

Mitigated Emission Factor,  $E_{ext} = E \cdot [(365 - P)/365]$   
 where P = 125 days of rain greater than or equal to 0.01 inches (see Fig. 13.2.2-1)

	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	
Unmitigated Emission Factor, $E_f =$	6.32	1.61	1.61	lb/mile
Mitigated Emission Factor, $E_{ext} =$	4.16	1.06	1.06	lb/mile
Dust Control Efficiency =	50%	50%	50%	(pursuant to control measures outlined in fugitive dust control plan)

Process	Mitigated PTE of PM (tons/yr)	Mitigated PTE of PM <sub>10</sub> (tons/yr)	Mitigated PTE of PM <sub>2.5</sub> (tons/yr)	Controlled PTE of PM (tons/yr)	Controlled PTE of PM <sub>10</sub> (tons/yr)	Controlled PTE of PM <sub>2.5</sub> (tons/yr)
Vehicle (entering plant) (one-way trip)	14.09	3.59	3.59	7.04	1.80	1.80
Vehicle (leaving plant) (one-way trip)	14.09	3.59	3.59	7.04	1.80	1.80
<b>Total</b>	<b>28.17</b>	<b>7.18</b>	<b>7.18</b>	<b>14.09</b>	<b>3.59</b>	<b>3.59</b>

**Methodology**

- Total Weight driven per day (ton/day) = [Maximum Weight Loaded (tons/trip)] \* [Maximum trips per day (trip/day)]
- Maximum one-way distance (mi/trip) = [Maximum one-way distance (feet/trip)] / [5280 ft/mile]
- Maximum one-way miles (miles/day) = [Maximum trips per year (trip/day)] \* [Maximum one-way distance (mi/trip)]
- Average Vehicle Weight Per Trip (ton/trip) = SUM[Total Weight driven per day (ton/day)] / SUM[Maximum trips per day (trip/day)]
- Average Miles Per Trip (miles/trip) = SUM[Maximum one-way miles (miles/day)] / SUM[Maximum trips per year (trip/day)]
- Mitigated PTE (tons/yr) = (Maximum one-way miles (miles/yr)) \* (Mitigated Emission Factor (lb/mile)) \* (ton/2000 lbs)
- Controlled PTE (tons/yr) = (Mitigated PTE (tons/yr)) \* (1 - Dust Control Efficiency)



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

**Eric J. Holcomb**  
Governor

**Brian C. Rockensuess**  
Commissioner

## SENT VIA U.S. MAIL: CONFIRMED DELIVERY AND SIGNATURE REQUESTED

TO: Dudley Berthold  
Weaver Popcorn Company Incorporated  
408 W Landess St  
Van Buren, IN 46991

DATE: July 2, 2024

FROM: Jenny Acker, Branch Chief  
Permits Branch  
Office of Air Quality

SUBJECT: Final Decision  
FESOP Administrative Amendment  
053-47788-00033

This notice is to inform you that a final decision has been issued for the air permit application referenced above.

Our records indicate that you are the contact person for this application. However, if you are not the appropriate person within your company to receive this document, please forward it to the correct person. In addition, the Notice of Decision has been sent to the OAQ Permits Branch Interested Parties List and, if applicable, the Consultant/Agent and/or Responsible Official/Authorized Individual.

**The final decision and supporting materials are available electronically;** the original signature page is enclosed for your convenience. The final decision and supporting materials available electronically at:

**IDEM's online searchable database:** <http://www.in.gov/apps/idem/caats/> . Choose Search Option **by Permit Number**, then enter permit 47788

and

**IDEM's Virtual File Cabinet (VFC):** <https://www.in.gov/idem>. Enter VFC in the search box, then search for permit documents using a variety of criteria, such as Program area, date range, permit #, Agency Interest Number, or Source ID.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit. If you think you have received this document in error, or have difficulty accessing the documents online, please contact Joanne Smiddie-Brush of my staff at 1-800-451-6027 (ext 3-0185), or via e-mail at [jbrush@idem.IN.gov](mailto:jbrush@idem.IN.gov).

Final Applicant Cover Letter 8/20/20-acces via website



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Eric J. Holcomb  
Governor

Brian C. Rockensuess  
Commissioner

**July 2, 2024**  
**Weaver Popcorn Company, Inc.**  
**053-47788-00033**

To: Interested Parties

This notice is to inform you that a final decision has been issued for the air permit application referenced above. This notice is for informational purposes only. You are not required to take any action.

You are receiving this notice because you asked to be on IDEM's notification list for this company and/or county; or because your property is nearby the company being permitted; or because you represent a local/regional government entity.

The enclosed Notice of Decision Letter provides additional information about the final permit decision.

The final decision and supporting materials are available electronically at:

IDEM's online searchable database: <http://www.in.gov/apps/idem/caats/> . Choose Search Option by Permit Number, then enter permit 47788

and

IDEM's Virtual File Cabinet (VFC): <https://www.in.gov/idem>. Enter VFC in the search box, then search for permit documents using a variety of criteria, such as Program area, date range, permit #, Agency Interest Number, or Source ID.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178, or toll-free at 1-800-451-6027 (ext. 3-0178), and ask to speak to the permit reviewer who prepared the permit.

**Please Note:** *If you would like to be removed from the Air Permits mailing list, please contact Joanne Smiddie-Brush with the Air Permits Administration Section at 1-800-451-6027, ext. 3-0185 or via e-mail at [JBRUSH@IDEM.IN.GOV](mailto:JBRUSH@IDEM.IN.GOV). If you have recently moved and this Notice has been forwarded to you, please notify us of your new address and if you wish to remain on the mailing list. Mail that is returned to IDEM by the Post Office with a forwarding address in a different county will be removed from our list unless otherwise requested.*

Enclosure  
Final Interested Parties Cover Letter 10/13/2023

# Mail Code 61-53

IDEM Staff	LGAINES 7/2/2024 Weaver Popcorn Company Incorporated 053-47788-00033 (final)			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail:  <b>CERTIFICATE OF MAILING ONLY</b>	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handling Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee
											Remarks
1		Dudley Berthold Weaver Popcorn Company Incorporated 408 W Landess St Van Buren IN 46991 (Source CAATS) VIA UPS UPS									
2		Jason Kashman CEO Weaver Popcorn Company Incorporated 408 W Landess St Van Buren IN 46991 (RO CAATS)									
3		Marion City Council and Mayors Office 301 S Branson St Marion IN 46952-4052 (Local Official)									
4		Grant County Commissioners 401 S Adams St Marion IN 46953 (Local Official)									
5		Ms. Mary Shipley 10968 E 100 S Marion IN 46953 (Affected Party)									
6		Grant County Health Department 401 S Adams St, 1st Floor Marion IN 46953-2031 (Health Department)									
7		Van Buren Town Council PO Box 392 Van Buren IN 46991 (Local Official)									
8		Mary Place SES Environmental 3807 Transportation Dr Fort Wayne IN 46818 (Consultant)									
9		Scott Underwood The Herald Bulletin 1133 Jackson St Anderson IN 46016 (Affected Party)									
10		Lewis Lidy 1608 N Meridian St Marion IN 46952 (Affected Party)									
11											
12											
13											
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15											

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