

22.68 megagrams (25 tons) or more per year.

**§ 63.7490 What parts of my facility does this subpart cover?**

(a) This subpart applies to each new, reconstructed, or existing affected source.

(b) The affected source is each industrial, commercial, or institutional boiler or process heater, as defined in § 63.7485 that is not one of the types of combustion units listed in § 63.7490(b)(1) through (10).

(1) A municipal waste combustor covered by 40 CFR part 60, subpart AAAA, subpart BBBB, subpart Eb or subpart Cb.

(2) A hospital/medical/infectious waste incinerator covered by 40 CFR part 60, subpart Ce or subpart Ec.

(3) An electric utility steam generating unit that is a fossil fuel-fired combustion unit of more than 25 megawatts that serves a generator that produces electricity for sale. A unit that cogenerates steam and electricity and supplies more than one-third of its potential electric output capacity and more than 25 megawatts electrical output to any utility power distribution system for sale is considered an electric utility steam generating unit.

(4) A boiler or process heater required to have a permit under section 3005 of the Solid Waste Disposal Act or covered by 40 CFR part 63, subpart EEE (e.g., hazardous waste combustors).

(5) A commercial and industrial solid waste incineration unit covered by 40 CFR part 60, subpart CCCC or subpart DDDD.

(6) A recovery boiler or furnace covered by 40 CFR part 63, subpart MM.

(7) A boiler or process heater that is used specifically for research and development. This does not include units that only provide steam to a process at a research and development facility.

(8) A hot water heater as defined in this subpart.

(9) A refining kettle covered by 40 CFR part 63, subpart X.

(10) An ethylene cracking furnace covered by 40 CFR part 63, subpart YY.

(c) An affected source is a new affected source if you commenced construction of the affected source after January 13, 2003 and you meet the applicability criteria at the time you commenced construction.

(d) An affected source is reconstructed if you meet the criteria as defined in § 63.2.

(e) An affected source is existing if it is not new or reconstructed.

**§ 63.7495 When do I have to comply with this subpart?**

(a) If you have a new or reconstructed affected source, you must comply with this subpart according to paragraph (a)(1) or (2) of this section.

(1) If you start up your affected source before [DATE THE FINAL RULE IS PUBLISHED IN THE FEDERAL REGISTER], then you must comply with the emission limitations and work practice standards for new and reconstructed sources in this subpart no later than [DATE THE FINAL RULE IS PUBLISHED IN THE FEDERAL REGISTER].

(2) If you startup your affected source after [DATE THE FINAL RULE IS PUBLISHED IN THE FEDERAL REGISTER], then you must comply with the emission limitations and work practice standards for new and reconstructed sources in this subpart upon startup of your affected source.

(b) If you have an existing affected source, you must comply with the emission limitations for existing sources no later than 3 years after [DATE THE FINAL RULE IS PUBLISHED IN THE FEDERAL REGISTER].

(c) If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, paragraphs (c)(1) and (2) of this section apply to you.

(1) Any new or reconstructed boiler or process heater at the existing facility must be in compliance with this subpart upon startup.

(2) Any existing boiler or process heater at the existing facility must be in compliance with this subpart within 3 years after the facility becomes a major source.

(d) You must meet the notification requirements in § 63.7545 according to the schedule in § 63.7545 and in subpart A of this part. Some of the notifications must be submitted before you are required to comply with the emission limitations and work practice standards in this subpart.

**Emission Limitations and Work Practice Standards**

**§ 63.7500 What emission limitations and work practice standards must I meet?**

(a) You must meet the requirements in paragraphs (a)(1) through (3) of this section.

(1) You must meet each emission limit in Table 1 to this subpart that applies to you.

(2) You must meet each operating limit in Tables 2.A and 2.B to this subpart that applies to you. If you use a control device or combination of control devices not covered in Tables

2.A or 2.B to this subpart, or you wish to establish and monitor an alternative operating limit and alternative monitoring parameters, you must apply to the Administrator for approval of alternative monitoring under § 63.8(f).

(3) You must meet each work practice standard in Table 3 to this subpart that applies to you.

(b) If your new or reconstructed boiler or process heater is in one of the liquid fuel subcategories (the large liquid fuel subcategory, the limited use liquid fuel subcategory, or the small liquid fuel subcategory) and burns only fossil fuels and other gases and does not burn any residual oil, you are subject to the emission limits in Table 1 to this subpart, but you are not required to conduct a performance test to demonstrate compliance with the emission limits. However, you must meet all applicable requirements in §§ 63.7530 and 63.7535.

(c) As provided in § 63.6(g), the Environmental Protection Agency (EPA) may choose to grant you permission to use an alternative to the work practice standards in this section.

**General Compliance Requirements**

**§ 63.7505 What are my general requirements for complying with this subpart?**

(a) You must be in compliance with the emission limitations (including operating limits) and the work practice standards in this subpart at all times, except during periods of startup, shutdown, and malfunction.

(b) You must always operate and maintain your affected source, including air pollution control and monitoring equipment, according to the provisions in § 63.6(e)(1)(i).

(c) You must develop a site-specific monitoring plan according to the requirements in paragraphs (c)(1) through (4) of this section.

(1) For each monitoring system required in this section, you must develop and submit for approval a site-specific monitoring plan that addresses paragraphs (c)(1)(i) through (iii) of this section.

(i) Installation of the continuous monitoring system (CMS) sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (e.g., on or downstream of the last control device);

(ii) Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction systems; and