

established during the most recent performance test.

If you control emissions from an affected source using process modifications or an add-on control device other than a thermal or catalytic oxidizer, you must demonstrate continuous compliance by operating a THC continuous emission monitoring system (CEMS) in accordance with Procedure 1 of 40 CFR part 60, appendix F.

For new clay refractory kilns that are controlled with a DLA, you must monitor continuously the pressure drop across the DLA. You also must check the limestone feed hopper and limestone feeder setting daily to ensure that there is limestone in the hopper, the limestone is free flowing, and the feed rate has not changed. In addition, you must continue using the same source of limestone as was used during the most recent performance test and maintain records that demonstrate that the source of limestone has not changed.

For new clay refractory kilns that are controlled with a DIFF or DLS/FF, you must maintain free-flowing lime in the feed hopper or silo at all times. You also must maintain the lime feeder setting at or above the level established during the most recent performance test and record the feeder setting once each day. You must initiate corrective action within 1 hour of a bag leak detection system alarm and complete corrective actions according to your OM&M plan.

For kilns that are controlled with a wet scrubber, you must continuously maintain the 3-hour block average scrubber pressure drop, scrubber liquid pH, scrubber liquid flow rate, and chemical addition rate (if applicable) at or above the corresponding operating limits established during the most recent performance test. Finally, you must record the uncalcined clay processing rate for all affected kilns.

If you operate an affected continuous kiln, you may bypass the control device and continue operating the kiln during periods of scheduled maintenance on the kiln control device, upon approval of the permitting authority. However, you must request prior approval from the permitting authority before taking the control device offline. You must minimize HAP emissions during the period when the control device is offline. You must also minimize the time period when the control device is offline. Unlike scheduled maintenance, a malfunction of a control device must be addressed in your SSMP. As specified in 40 CFR 63.6(f)(1) and (h)(1), emission standards do not apply during periods of startup, shutdown, or malfunction.

#### *I. What Are the Continuous Compliance Requirements for Sources Subject to a Work Practice Standard?*

If you have an affected existing shape preheater, an existing pitch working tank, or a new pitch working tank, you must perform the appropriate work practice, and you must document in your Notification of Compliance Status that you have complied with the work practice standard, as required by 40 CFR 63.9.

For affected new or existing chromium refractory products kilns and for existing clay refractory products kilns, you must use natural gas, or its equivalent, as the kiln fuel, and document the type of fuel used. During periods of natural gas curtailment or other periods when natural gas is unavailable, you are allowed to use an alternative fuel. However, you must meet the notification requirements specified in 40 CFR 63.9812(f) and the reporting requirements specified in 40 CFR 63.9814(g). You must also incorporate procedures for using alternative fuels in your OM&M Plan.

#### *J. What Are the Notification, Recordkeeping, and Reporting Requirements?*

If you have an affected refractory products manufacturing source, you must submit initial notifications, notifications of performance tests, and notifications of compliance status by the specified dates in the final rule, which may vary depending on whether the affected source is new or existing. In addition to the information specified in 40 CFR 63.9(h)(2)(i), you must also include the following in your Notification of Compliance Status: (1) The operating limit parameter values established for each affected source and a description of the procedures used to establish the values; (2) design information and analysis demonstrating conformance with requirements for capture and collection systems; (3) your OM&M plan, as specified in 40 CFR 63.9794; (4) your SSMP; and (5) descriptions of the methods you use to comply with any applicable work practice standards. You must submit semiannual compliance reports containing statements and information concerning emission limitation deviations, out of control CPMS, and periods of startup, shutdown, or malfunction when actions consistent with the approved SSMP were taken in accordance with 40 CFR 63.6(e)(3).

If you operate an affected clay or chromium refractory products kiln and you must use an alternative fuel due to a natural gas curtailment or other

interruption of natural gas supply, you must submit a notification of alternative fuel use that includes the information specified in 40 CFR 63.9812(f). You must submit a report of alternative fuel use within 10 working days after terminating the use of the alternative fuel. The report must include the information specified in 40 CFR 63.9814(g).

If you operate a continuous kiln that is an affected thermal process source of organic HAP or is a new clay refractory products kiln, and you must take the control device offline for scheduled maintenance, you must request prior approval from the permitting authority, as specified in 40 CFR 63.9792(e). In addition, you must maintain records of all maintenance activities and the time intervals when the control device is offline. Finally, you must incorporate into your OM&M plan the procedures for minimizing HAP emissions when the control device is out of service.

For all affected sources, you must maintain records for at least 5 years from the date on which the data are recorded. You must keep the records onsite for at least the first 2 years, but you can store the records offsite for the remaining 3 years.

#### *K. What Are the Compliance Deadlines?*

Existing sources must comply within 3 years of the date of publication of today's final rule. New or reconstructed sources must comply at startup or upon the date of publication of today's final rule, depending on their startup date.

### **III. Summary of Major Changes Since Proposal**

#### *A. Emission Limits and Work Practice Standards*

For thermal process sources of organic HAP, we replaced the proposed combustion efficiency limit with a 95 percent THC reduction limit. We believe that the 95 percent THC reduction limit will result in organic HAP emissions reductions that are comparable to the reductions that would have been achieved through the proposed 99.8 percent combustion efficiency limit. Furthermore, percentage reduction provides a better measure of the performance of a control device in reducing organic emissions than does combustion efficiency, because percentage reduction is a direct measure of reductions in THC emissions across the control device. In addition, the combination of the proposed THC concentration and the percentage reduction limits allows considerable flexibility in how owners and operators