FG {ID}
FLEXIBLE GROUP CONDITIONS
Area Source Boiler – Existing Large Coal

Red text identifies options. Select the option that applies to the source and change the text to black. Delete red text that does not apply and renumber conditions if necessary.

Blue text is guidance or notes on the use of the template. Delete all blue text prior to issuing the final permit or submitting it with a permit application.

If this template is being used for an ROP Reopening or Renewal, and the MACT conditions were established in a PTI, the appropriate footnotes which reference enforceability must be added to each applicable condition in the template.

DESCRIPTION

Conditions for any existing large (≥10 MMBtu/hour heat input) coal-fired industrial, commercial or institutional boiler as defined in 40 CFR 63.11237 (excluding limited use boilers) that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in 40 CFR 63.2, except as specified in 40 CFR 63.11195.

Emission Unit: The collection of all existing industrial, commercial, and institutional boilers within a subcategory

POLLUTION CONTROL EQUIPMENT

Site-specific Consideration

I. EMISSION LIMIT(S)

	Pollutant	Limit	Time Period/ Operating Scenario	Equipment	Monitoring/ Testing Method	Underlying Applicable Requirements
1.	Mercury	2.2E-05 lb/mmBtu heat input	At all times except for periods of startup and shutdown	Each boiler	SC V.1-15 SC VI.1-6 SC VI.8-14	**40 CFR 63.1120160 and Table 1.6.a**
2.	CO	420 ppm by volume on a dry basis corrected to 3 percent oxygen	At all times except for periods of startup and shutdown	Each boiler	SC V.1-2 SC V.4-7 SC V.13 SC V.15 SC VI.1-7 SC VI.9-10 SC VI.13-14	**40 CFR 63.11201 and Table 1.6.b.**

3. The permittee must comply with each emission limit specified in Table 1 of 40 CFR Part 63, Subpart JJJJJJ that applies to the permittee's boiler, as listed in the table above. **(40 CFR 63.11201(a))**

4. These standards apply at all times the affected boiler is operating, except during periods of startup and shutdown as defined in Section 63.11237, during which time the permittee must comply only with Table 2 of 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11201(d))**

II. MATERIAL LIMIT(S)

1. The boiler shall comply with the definition of the coal subcategory: the boiler burns any solid fuel and no more than 15 percent biomass on an annual heat input basis. **(40 CFR 63.11200(a), 40 CFR 63.11237)**

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee must comply with each work practice standard, emission reduction measure, and management practice specified in Table 2 to 40 CFR Part 63, Subpart JJJJJJ that applies to the permittee's boiler. An energy assessment completed on or after January 1, 2008 that meets or is amended to meet the energy assessment requirements in Table 2 of 40 CFR Part 63, Subpart JJJJJJ satisfies the energy assessment requirement. A facility that operates under an energy management program established through energy management systems compatible with ISO 50001, that includes the affected units, also satisfies the energy assessment requirement. **(40 CFR 63.11201(b))**

2. The permittee must comply with each operating limit specified in Table 3 of 40 CFR Part 63, Subpart JJJJJJ that applies to the permittee's boiler. **(40 CFR 63.11201(c))**

3. These standards apply at all times the affected boiler is operating, except during periods of startup and shutdown as defined in Section 63.11237, during which time the permittee must comply only with Table 2 of 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11201(d))**

4. If the permittee owns or operates a boiler subject to emission limits in Table 1 of 40 CFR Part 63, Subpart JJJJJJ, the permittee must minimize the boiler's startup and shutdown periods following the manufacturer's recommended procedures, if available. If manufacturer's recommended procedures are not available, the permittee must follow recommended procedures for a unit of similar design for which manufacturer's recommended procedures are available. The permittee must submit a signed statement in the Notification of Compliance Status report that indicates that the permittee conducted startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available. **(40 CFR 63.11214(d), 40 CFR 63.11223(g))**

IV. DESIGN/EQUIPMENT PARAMETER(S)

1. The boiler shall have a heat input capacity of greater than or equal to 10 MMBtu per hour but less than 30 MMBtu per hour. **(40 CFR 63, Subpart JJJJJJ, Table 1.6)**

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

1. The permittee must demonstrate initial compliance with each emission limit specified in Table 1 of 40 CFR Part 63, Subpart JJJJJJ, stated in SC I.1 and SC I.2, that applies to the permittee by either conducting performance (stack) tests, as applicable, according to Section 63.11212 and Table 4 of 40 CFR Part 63, Subpart JJJJJJ or, for mercury, conducting fuel analyses, as applicable, according to Section 63.11213 and Table 5 of 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11210(a))**

2. For affected boilers that demonstrate compliance with any of the emission limits of 40 CFR Part 63, Subpart JJJJJJ through performance (stack) testing, the permittee's initial compliance requirements include conducting performance tests according to Section 63.11212 and Table 4 of 40 CFR Part 63, Subpart JJJJJJ, conducting a fuel analysis for each type of fuel burned in the permittee's boiler according to Section 63.11213 and Table 5 of 40 CFR Part 63, Subpart JJJJJJ, establishing operating limits according to Section 63.11222, Table 6 of 40 CFR Part 63, Subpart JJJJJJ and paragraph (b) of Section 63.11211, as applicable, and conducting CMS performance evaluations according to Section 63.11224. For affected boilers that burn a single type of fuel, the permittee is exempted from the compliance requirements of conducting a fuel analysis for each type of fuel burned in the permittee's boiler. For purposes of 40 CFR Part 63, Subpart JJJJJJ, boilers that use a supplemental fuel only for startup, unit shutdown, and transient flame stability purposes still qualify as affected boilers that burn a single type of fuel, and the supplemental fuel is not subject to the fuel analysis requirements under Section 63.11213 and Table 5 of 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11211(a))**

3. The permittee must establish parameter operating limits according to paragraphs (b)(1) through (4) of Section 63.11211, as listed below. **(40 CFR 63.11211(b))**
   a. For a wet scrubber, the permittee must establish the minimum scrubber liquid flow rate and minimum scrubber pressure drop as defined in Section 63.11237, as the boiler's operating limits during the three-run performance stack test. If the permittee uses a wet scrubber and the permittee conducts separate performance stack tests for PM and mercury emissions, the permittee must establish one set of minimum scrubber liquid flow rate and pressure drop operating limits. If the permittee conducts multiple performance

stack tests, the permittee must set the minimum scrubber liquid flow rate and pressure drop operating limits at the highest minimum values established during the performance stack tests. **(40 CFR 63.11211(b)(1))**

b. For an electrostatic precipitator operated with a wet scrubber, the permittee must establish the minimum total secondary electric power (secondary voltage and secondary current), as defined in Section 63.11237, as the boiler's operating limits during the three-run performance stack test. **(40 CFR 63.11211(b)(2))**

c. For activated carbon injection, the permittee must establish the minimum activated carbon injection rate, as defined in Section 63.11237, as the boiler's operating limit during the three-run performance stack test. **(40 CFR 63.11211(b)(3))**

d. The operating limit for boilers with fabric filters that demonstrate continuous compliance through bag leak detection systems is that a bag leak detection system be installed according to the requirements in Section 63.11224, and that each fabric filter must be operated such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period. **(40 CFR 63.11211(b)(4))**

4. The permittee must conduct all performance tests according to Section 63.7(c), (d), (f), and (h). The permittee must also develop a site-specific test plan according to the requirements in Section 63.7(c). **(40 CFR 63.11212(a))**

5. The permittee must conduct each stack test according to the requirements in Table 4 of 40 CFR 63, Subpart JJJJJJ. Boilers that use a CEMS for carbon monoxide (CO) are exempt from the initial CO performance testing in Table 4 of 40 CFR Part 63, Subpart JJJJJJ and the oxygen concentration operating limit requirement specified in Table 3 of 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11212(b))**

6. The permittee must conduct performance stack tests at the representative operating load conditions while burning the type of fuel or mixture of fuels that have the highest emissions potential for each regulated pollutant, and the permittee must demonstrate initial compliance and establish the permittee's operating limits based on these performance stack tests. For subcategories with more than one emission limit, these requirements could result in the need to conduct more than one performance stack test. Following each performance stack test and until the next performance stack test, the permittee must comply with the operating limit for operating load conditions specified in Table 3 of 40 CFR 63, Subpart JJJJJJ. **(40 CFR 63.11212(c))**

7. The permittee must conduct a minimum of three separate test runs for each performance stack test required in Section 63.11212, as specified in Section 63.7(e)(3) and in accordance with the provisions in Table 4 of 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11212(d))**

8. To determine compliance with the emission limits, the permittee must use the F-Factor methodology and equations in Sections 12.2 and 12.3 of EPA Method 19 of Appendix A-7 to 40 CFR Part 60 of this chapter to convert the measured PM concentrations and the measured mercury concentrations that result from the performance test to pounds per million Btu heat input emission rates. **(40 CFR 63.11212(e))**

9. If the permittee elects to demonstrate compliance with an applicable mercury emission limit through fuel analysis, the permittee must conduct fuel analyses according to Section 63.11213 and Table 5 of 40 CFR Part 63, Subpart JJJJJJ and follow the procedures in paragraphs (c)(1) through (3) of Section 63.11211, as listed below. **(40 CFR 63.11211(c))**

   a. If the permittee burns more than one fuel type, the permittee must determine the fuel type, or mixture, the permittee could burn in the boiler that would result in the maximum emission rates of mercury. **(40 CFR 63.11211(c)(1))**

   b. The permittee must determine the 90th percentile confidence level fuel mercury concentration of the composite samples analyzed for each fuel type using Equation 1 of Section 63.11211:

$$P_{90} = \text{mean} + (SD * t) \quad \text{(Eq. 1)}$$

   Where:

   P_{90} = 90th percentile confidence level mercury concentration, in pounds per million Btu.

   mean = Arithmetic average of the fuel mercury concentration in the fuel samples analyzed according to Section 63.11213, in units of pounds per million Btu.

   SD = Standard deviation of the mercury concentration in the fuel samples analyzed according to Section 63.11213, in units of pounds per million Btu.

t = t distribution critical value for 90th percentile (0.1) probability for the appropriate degrees of freedom (number of samples minus one) as obtained from a Distribution Critical Value Table.

(40 CFR 63.11211(c)(2))

c. To demonstrate compliance with the applicable mercury emission limit, the emission rate that the permittee calculates for the boiler using Equation 1 of this Section must be less than the applicable mercury emission limit. **(40 CFR 63.11211(c)(3))**

10. The permittee must conduct fuel analyses according to the procedures in paragraphs (b) and (c) of Section 63.11213, stated in SC V.11 and SC V.12, respectively, and Table 5 of 40 CFR Part 63, Subpart JJJJJJ, as applicable. The permittee is not required to conduct fuel analyses for fuels used for only startup, unit shutdown, and transient flame stability purposes. The permittee is required to conduct fuel analyses only for fuels and units that are subject to emission limits for mercury in Table 1 of 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11213(a))**

11. At a minimum, the permittee must obtain three composite fuel samples for each fuel type according to the procedures in Table 5 of 40 CFR Part 63, Subpart JJJJJJ. Each composite sample must consist of a minimum of three samples collected at approximately equal intervals during a test run period. **(40 CFR 63.11213(b))**

12. Determine the concentration of mercury in the fuel in units of pounds per million Btu of each composite sample for each fuel type according to the procedures in Table 5 of 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11213(c))**

13. The permittee must conduct all applicable performance (stack) tests according to Section 63.11212 on a triennial basis, except as specified in paragraphs (c) and (d) of Section 63.11220, stated in SC V.14 and SC V.15, respectively. Triennial performance tests must be completed no more than 37 months after the previous performance test. **(40 CFR 63.11220(a))**

14. If the permittee demonstrates compliance with the mercury emission limit based on fuel analysis, the permittee must conduct a fuel analysis according to Section 63.11213 for each type of fuel burned as specified in paragraphs (c)(1) and (2) of Section 63.11220, as listed below. If the permittee plans to burn a new type of fuel or fuel mixture, the permittee must conduct a fuel analysis before burning the new type of fuel or mixture in the permittee's boiler. The permittee must recalculate the mercury emission rate using Equation 1 of Section 63.11211, stated in SC V.9. The recalculated mercury emission rate must be less than the applicable emission limit. **(40 CFR 63.11220(c))**

    a. When demonstrating initial compliance with the mercury emission limit, if the mercury constituents in the fuel or fuel mixture are measured to be equal to or less than half of the mercury emission limit, the permittee does not need to conduct further fuel analysis sampling but must continue to comply with all applicable operating limits and monitoring requirements. **(40 CFR 63.11220(c)(1))**

    b. When demonstrating initial compliance with the mercury emission limit, if the mercury constituents in the fuel or fuel mixture are greater than half of the mercury emission limit, the permittee must conduct quarterly sampling. **(40 CFR 63.11220(c)(2))**

15. For existing affected boilers that have not operated since the previous compliance demonstration and more than 3 years have passed since the previous compliance demonstration, the permittee must complete the permittee's subsequent compliance demonstration no later than 180 days after the re-start of the affected boiler. **(40 CFR 63.11220(d))**

See Appendix 5

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

1. If the permittee demonstrates compliance with any applicable emission limit through performance stack testing and subsequent compliance with operating limits (including the use of CPMS), with a CEMS, or with a COMS, the permittee must develop a site-specific monitoring plan according to the requirements in paragraphs (c)(1) through (3) of Section 63.11205, as listed below, for the use of any CEMS, COMS, or CPMS. This requirement also applies to the permittee if the permittee petitions the EPA Administrator for alternative monitoring parameters under Section 63.8(f). **(40 CFR 63.11205(c))**

a. For each CMS required in Section 63.11205 (including CEMS, COMS, or CPMS), the permittee must develop, and submit to the Administrator for approval upon request, a site-specific monitoring plan that addresses paragraphs (c)(1)(i) through (vi) of Section 63.11205, as listed below. The permittee must submit this site-specific monitoring plan, if requested, at least 60 days before the permittee's initial performance evaluation of the permittee's CMS. This requirement to develop and submit a site-specific monitoring plan does not apply to affected sources with existing CEMS or COMS operated according to the performance specifications under Appendix B to 40 CFR Part 60 of this chapter and that meet the requirements of Section 63.11224. **(40 CFR 63.11205(c)(1))**

   i. Installation of the 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). **(40 CFR 63.11205(c)(1)(i))**

   ii. Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction systems. **(40 CFR 63.11205(c)(1)(ii))**

   iii. Performance evaluation procedures and acceptance criteria (*e.g.,* calibrations). **(40 CFR 63.11205(c)(1)(iii))**

   iv. Ongoing operation and maintenance procedures in accordance with the general requirements of Section 63.8(c)(1)(ii), (c)(3), and (c)(4)(ii). **(40 CFR 63.11205(c)(1)(iv))**

   v. Ongoing data quality assurance procedures in accordance with the general requirements of Section 63.8(d). **(40 CFR 63.11205(c)(1)(v))**

   vi. Ongoing recordkeeping and reporting procedures in accordance with the general requirements of Section 63.10(c) (as applicable in Table 8 of 40 CFR Part 63, Subpart JJJJJJ), (e)(1), and (e)(2)(i). **(40 CFR 63.11205(c)(1)(vi))**

b. The permittee must conduct a performance evaluation of each CMS in accordance with the permittee's site-specific monitoring plan. **(40 CFR 63.11205(c)(2))**

c. The permittee must operate and maintain the CMS in continuous operation according to the site-specific monitoring plan. **(40 CFR 63.11205(c)(3))**

2. The permittee must monitor and collect data according to Section 63.11221 and the site-specific monitoring plan required by Section 63.11205(c), stated in SC VI.1. **(40 CFR 63.11221(a))**

3. The permittee must operate the monitoring system and collect data at all required intervals at all times the affected source is operating and compliance is required, except for periods of monitoring system malfunctions or out-of-control periods (see Section 63.8(c)(7) of 40 CFR 63), repairs associated with monitoring system malfunctions or out-of-control periods, and required monitoring system quality assurance or quality control activities including, as applicable, calibration checks, required zero and span adjustments, and scheduled CMS maintenance as defined in the permittee's site-specific monitoring plan. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. The permittee is required to complete monitoring system repairs in response to monitoring system malfunctions or out-of-control periods and to return the monitoring system to operation as expeditiously as practicable. **(40 CFR 63.11221(b))**

4. The permittee may not use data collected during monitoring system malfunctions or out-of-control periods, repairs associated with monitoring system malfunctions or out-of-control periods, or required monitoring system quality assurance or quality control activities in calculations used to report emissions or operating levels. Any such periods must be reported according to the requirements in Section 63.11225. The permittee must use all the data collected during all other periods in assessing the operation of the control device and associated control system. **(40 CFR 63.11221(c))**

5. Except for periods of monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks, required zero and span adjustments, and scheduled CMS maintenance as defined in the permittee's site-specific monitoring plan), failure to collect required data is a deviation of the monitoring requirements. **(40 CFR 63.11221(d))**

6. The permittee must demonstrate continuous compliance with each emission limit and operating limit in Tables 1 and 3 of 40 CFR Part 63, Subpart JJJJJJ that applies to the permittee according to the methods specified in

Table 7 of 40 CFR Part 63, Subpart JJJJJJ and to paragraphs (a)(1) through (4) of Section 63.11222, as listed below. **(40 CFR 63.11222(a))**

a. Following the date on which the initial compliance demonstration is completed or is required to be completed under Sections 63.7 and 63.11196, stated in SC IX.4 or SC IX.5, whichever date comes first, the permittee must continuously monitor the operating parameters. Operation above the established maximum, below the established minimum, or outside the allowable range of the operating limits specified in paragraph (a) of Section 63.11222 constitutes a deviation from the permittee's operating limits established under 40 CFR Part 63, Subpart JJJJJJ, except during performance tests conducted to determine compliance with the emission and operating limits or to establish new operating limits. Operating limits are confirmed or reestablished during performance tests. **(40 CFR 63.11222(a)(1))**

b. If the permittee has an applicable mercury or PM emission limit, the permittee must keep records of the type and amount of all fuels burned in each boiler during the reporting period to demonstrate that all fuel types and mixtures of fuels burned would result in lower emissions of mercury than the applicable emission limit (if permittee demonstrates compliance through fuel analysis), or result in lower fuel input of mercury than the maximum values calculated during the last performance stack test (if permittee demonstrates compliance through performance stack testing). **(40 CFR 63.11222(a)(2))**

c. If the permittee has an applicable mercury emission limit and the permittee plans to burn a new type of fuel, the permittee must determine the mercury concentration for any new fuel type in units of pounds per million Btu, using the procedures in Equation 1 of Section 63.11211, stated in SC V.9, based on supplier data or the permittee's own fuel analysis, and meet the requirements in paragraphs (a)(3)(i) or (ii) of this Section 63.11222, as listed below. **(40 CFR 63.11222(a)(3))**

   i. The recalculated mercury emission rate must be less than the applicable emission limit. **(40 CFR 63.11222(a)(3)(i))**

   ii. If the mercury concentration is higher than mercury fuel input during the previous performance test, then the permittee must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in Section 63.11212 to demonstrate that the mercury emissions do not exceed the emission limit. **(40 CFR 63.11222(a)(3)(ii))**

d. If the permittee's unit is controlled with a fabric filter, and the permittee demonstrates continuous compliance using a bag leak detection system, the permittee must initiate corrective action within 1 hour of a bag leak detection system alarm and operate and maintain the fabric filter system such that the alarm does not sound more than 5 percent of the operating time during a 6-month period. The permittee must also keep records of the date, time, and duration of each alarm, the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. The permittee must also record the percent of the operating time during each 6-month period that the alarm sounds. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm is counted as a minimum of 1 hour. If the permittee take longer than 1 hour to initiate corrective action, the alarm time is counted as the actual amount of time taken to initiate corrective action. **(40 CFR 63.11222(a)(4))**

7. If the permittee's boiler is subject to a CO emission limit in Table 1 of 40 CFR Part 63, Subpart JJJJJJ, the permittee must either install, operate, and maintain a CEMS for CO and oxygen according to the procedures in paragraphs (a)(1) through (6) of Section 63.11224, as listed below, or install, calibrate, operate, and maintain an oxygen analyzer system, as defined in Section 63.11237, according to the manufacturer's recommendations and paragraphs (a)(7) and (d) of Section 63.11224, as applicable, by the compliance date specified in Section 63.11196. Where a certified CO CEMS is used, the CO level shall be monitored at the outlet of the boiler, after any add-on controls or flue gas recirculation system and before release to the atmosphere. Boilers that use a CO CEMS are exempt from the initial CO performance testing and oxygen concentration operating limit requirements specified in Section 63.11211(a) of 40 CFR Part 63, Subpart JJJJJJ, stated in SC V.2. Oxygen monitors and oxygen trim systems must be installed to monitor oxygen in the boiler flue gas, boiler firebox, or other appropriate intermediate location. **(40 CFR 63.11224(a)**

   a. Each CO CEMS must be installed, operated, and maintained according to the applicable procedures under Performance Specification 4, 4A, or 4B at 40 CFR Part 60, Appendix B, and each oxygen CEMS must be installed, operated, and maintained according to Performance Specification 3 at 40 CFR Part 60, Appendix B. Both the CO and oxygen CEMS must also be installed, operated, and maintained according to the site-specific monitoring plan developed according to paragraph (c) of Section 63.11224, stated in SC VI.9. **(40 CFR 63.11224(a)(1))**

b. The permittee must conduct a performance evaluation of each CEMS according to the requirements in Section 63.8(e) and according to Performance Specifications 3 and 4, 4A, or 4B at 40 CFR Part 60, Appendix B. **(40 CFR 63.11224(a)(2))**

c. Each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) every 15 minutes. You must have CEMS data values from a minimum of four successive cycles of operation representing each of the four 15-minute periods in an hour, or at least two 15-minute data values during an hour when CEMS calibration, quality assurance, or maintenance activities are being performed, to have a valid hour of data. **(40 CFR 63.11224(a)(3))**

d. The CEMS data must be reduced as specified in Section 63.8(g)(2). **(40 CFR 63.11224(a)(4))**

e. The permittee must calculate hourly averages, corrected to 3 percent oxygen, from each hour of CO CEMS data in parts per million CO concentrations and determine the 10-day rolling average of all recorded readings, except as provided in Section 63.11221(c), stated in SC VI.4. Calculate a 10-day rolling average from all of the hourly averages collected for the 10-day operating period using Equation 2 of Section 63.11224:

$$\text{10-day average} = \frac{\Sigma_{i=1}^{n} Hpvi}{n} \qquad \text{(Eq.2)}$$

Where:

Hpvi = the hourly parameter value for hour i

n = the number of valid hourly parameter values collected over 10 boiler operating days

(40 CFR 63.11224(a)(5))

f. For purposes of collecting CO data, the permittee must operate the CO CEMS as specified in Section 63.11221(b), stated in SC VI.3. For purposes of calculating data averages, the permittee must use all the data collected during all periods in assessing compliance, except that the permittee must exclude certain data as specified in Section 63.11221(c), stated in SC VI.4. Periods when CO data are unavailable may constitute monitoring deviations as specified in Section 63.11221(d), stated in SC VI.5. **(40 CFR 63.11224(a)(6))**

g. The permittee must operate the oxygen analyzer system at or above the minimum oxygen level that is established as the operating limit according to Table 6 to this subpart when firing the fuel or fuel mixture utilized during the most recent CO performance stack test. Operation of oxygen trim systems to meet these requirements shall not be done in a manner which compromises furnace safety. **(40 CFR 63.11224(a)(7))**

8. If the permittee is using a control device to comply with the emission limits specified in Table 1 of 40 CFR Part 63, Subpart JJJJJJ, the permittee must maintain each operating limit in Table 3 of 40 CFR Part 63, Subpart JJJJJJ that applies to the permittee's boiler as specified in Table 7 of 40 CFR Part 63, Subpart JJJJJJ. If the permittee uses a control device not covered in Table 3 of 40 CFR Part 63, Subpart JJJJJJ, or the permittee wishes to establish and monitor an alternative operating limit and alternative monitoring parameters, the permittee must apply to the United States Environmental Protection Agency (EPA) Administrator for approval of alternative monitoring under Section 63.8(f). **(40 CFR 63.11224(b))**

9. If the permittee demonstrates compliance with any applicable emission limit through stack testing and subsequent compliance with operating limits, the permittee must develop a site-specific monitoring plan according to the requirements in paragraphs (c)(1) through (4) of Section 63.11224, as listed below. This requirement also applies to the permittee if the permittee petitions the EPA Administrator for alternative monitoring parameters under Section 63.8(f). **(40 CFR 63.11224(c))**

   a. For each CMS required in Section 63.11224, the permittee must develop, and submit to the EPA Administrator for approval upon request, a site-specific monitoring plan that addresses paragraphs (c)(1)(i) through (iii) of Section 63.11224, as listed below. The permittee must submit this site-specific monitoring plan (if requested) at least 60 days before the permittee's initial performance evaluation of the permittee's CMS. **(40 CFR 63.11224(c)(1))**

      i. Installation of the CMS sampling probe or other interface at a measurement location relative to each affected unit such that the measurement is representative of control of the exhaust emissions (*e.g.,* on or downstream of the last control device). **(40 CFR 63.11224(c)(1)(i))**

      ii. Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction systems. **(40 CFR 63.11224(c)(1)(ii))**

iii. Performance evaluation procedures and acceptance criteria (*e.g.,* calibrations). **(40 CFR 63.11224(c)(1)(iii))**

b. In the permittee's site-specific monitoring plan, the permittee must also address paragraphs (c)(2)(i) through (iii) of Section 63.11224, as listed below. **(40 CFR 63.11224(c)(2))**

i. Ongoing operation and maintenance procedures in accordance with the general requirements of Section 63.8(c)(1), (3), and (4)(ii). **(40 CFR 63.11224(c)(2)(i))**

ii. Ongoing data quality assurance procedures in accordance with the general requirements of Section 63.8(d). **(40 CFR 63.11224(c)(2)(ii))**

iii. Ongoing recordkeeping and reporting procedures in accordance with the general requirements of Section 63.10(c), (e)(1), and (e)(2)(i). **(40 CFR 63.11224(c)(2)(iii))**

c. The permittee must conduct a performance evaluation of each CMS in accordance with the permittee's site-specific monitoring plan. **(40 CFR 63.11224(c)(3))**

d. The permittee must operate and maintain the CMS in continuous operation according to the site-specific monitoring plan. **(40 CFR 63.11224(c)(4))**

10. If the permittee has an operating limit that requires the use of a CMS, the permittee must install, operate, and maintain each CPMS according to the procedures in paragraphs (d)(1) through (4) of Section 63.11224, as listed below. **(40 CFR 63.11224(d))**

a. The CPMS must complete a minimum of one cycle of operation every 15 minutes. The permittee must have data values from a minimum of four successive cycles of operation representing each of the four 15-minute periods in an hour, or at least two 15-minute data values during an hour when CMS calibration, quality assurance, or maintenance activities are being performed, to have a valid hour of data. **(40 CFR 63.11224(d)(1))**

b. The permittee must calculate hourly arithmetic averages from each hour of CPMS data in units of the operating limit and determine the 30-day rolling average of all recorded readings, except as provided in Section 63.11221(c), stated in SC VI.4. Calculate a 30-day rolling average from all of the hourly averages collected for the 30-day operating period using Equation 3 of Section 63.11224:

$$\text{30-day average} = \frac{\Sigma_{i=1}^{n} Hpvi}{n} \qquad \text{(Eq. 3)}$$

Where:

Hpvi = the hourly parameter value for hour i

n = the number of valid hourly parameter values collected over 30 boiler operating days

(40 CFR 63.11224(d)(2))

c. For purposes of collecting data, the permittee must operate the CPMS as specified in Section 63.11221(b), stated in SC VI.3. For purposes of calculating data averages, the permittee must use all the data collected during all periods in assessing compliance, except that the permittee must exclude certain data as specified in Section 63.11221(c), stated in SC VI.4. Periods when CPMS data are unavailable may constitute monitoring deviations as specified in Section 63.11221(d), stated in SC VI.5. **(40 CFR 63.11224(d)(3))**

d. Record the results of each inspection, calibration, and validation check. **(40 CFR 63.11224(d)(4))**

11. If the permittee has an applicable opacity operating limit under this rule, the permittee must install, operate, certify and maintain each COMS according to the procedures in paragraphs (e)(1) through (8) of Section 63.11224, as listed below, by the compliance date specified in Section 63.11196, stated in SC IX.4 or SC IX.5. **(40 CFR 63.11224(e))**

a. Each COMS must be installed, operated, and maintained according to Performance Specification 1 of 40 CFR Part 60, Appendix B. **(40 CFR 63.11224(e)(1))**

b. The permittee must conduct a performance evaluation of each COMS according to the requirements in Section 63.8 and according to Performance Specification 1 of 40 CFR Part 60, Appendix B. **(40 CFR 63.11224(e)(2))**

c. As specified in Section 63.8(c)(4)(i), each COMS must complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period. **(40 CFR 63.11224(e)(3))**

d. The COMS data must be reduced as specified in Section 63.8(g)(2). **(40 CFR 63.11224(e)(4))**

e. The permittee must include in the permittee's site-specific monitoring plan procedures and acceptance criteria for operating and maintaining each COMS according to the requirements in Section 63.8(d). At a minimum, the monitoring plan must include a daily calibration drift assessment, a quarterly performance audit, and an annual zero alignment audit of each COMS. **(40 CFR 63.11224(e)(5))**

f. The permittee must operate and maintain each COMS according to the requirements in the monitoring plan and the requirements of Section 63.8(e). The permittee must identify periods the COMS is out of control including any periods that the COMS fails to pass a daily calibration drift assessment, a quarterly performance audit, or an annual zero alignment audit. **(40 CFR 63.11224(e)(6))**

g. The permittee must calculate and record 6-minute averages from the opacity monitoring data and determine and record the daily block average of recorded readings, except as provided in Section 63.11221(c), stated in SC VI.4. **(40 CFR 63.11224(e)(7))**

h. For purposes of collecting opacity data, the permittee must operate the COMS as specified in Section 63.11221(b), stated in SC VI.3. For purposes of calculating data averages, the permittee must use all the data collected during all periods in assessing compliance, except that the permittee must exclude certain data as specified in Section 63.11221(c), stated in SC VI.4. Periods when COMS data are unavailable may constitute monitoring deviations as specified in Section 63.11221(d), stated in SC VI.5. **(40 CFR 63.11224(e)(8))**

12. If the permittee uses a fabric filter bag leak detection system to comply with the requirements of 40 CFR Part 63, Subpart JJJJJJ, the permittee must install, calibrate, maintain, and continuously operate the bag leak detection system as specified in paragraphs (f)(1) through (8) of Section 63.11224, as listed below. **(40 CFR 63.11224(f))**

    a. The permittee must install and operate a bag leak detection system for each exhaust stack of the fabric filter. **(40 CFR 63.11224(f)(1))**

    b. Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations and in accordance with EPA-454/R-98-015 (incorporated by reference, see Section 63.14). **(40 CFR 63.11224(f)(2))**

    c. The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter or less. **(40 CFR 63.11224(f)(3))**

    d. The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings. **(40 CFR 63.11224(f)(4))**

    e. The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor. **(40 CFR 63.11224(f)(5))**

    f. The bag leak detection system must be equipped with an audible or visual alarm system that will activate automatically when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is easily heard or seen by plant operating personnel. **(40 CFR 63.11224(f)(6))**

    g. For positive pressure fabric filter systems that do not duct all compartments or cells to a common stack, a bag leak detection system must be installed in each baghouse compartment or cell. **(40 CFR 63.11224(f)(7))**

    h. Where multiple bag leak detectors are required, the system's instrumentation and alarm may be shared among detectors. **(40 CFR 63.11224(f)(8))**

13. The permittee must maintain the records specified in paragraphs (c)(1) through (7) of Section 63.11225, as listed below. **(40 CFR 63.11225(c))**

    a. As required in Section 63.10(b)(2)(xiv), the permittee must keep a copy of each notification and report that the permittee submitted to comply with 40 CFR Part 63, Subpart JJJJJJ and all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted. **(40 CFR 63.11225(c)(1))**

    b. The permittee must keep records to document conformance with the work practices, emission reduction measures, and management practices required by Sections 63.11214 and 63.11223 as specified in paragraphs (c)(2)(ii) and (iv) of Section 63.11225, as listed below. **(40 CFR 63.11225(c)(2))**

        i. For operating units that combust non-hazardous secondary materials that have been determined not to be solid waste pursuant to Section 241.3(b)(1) of this chapter, the permittee must keep a record which documents how the secondary material meets each of the legitimacy criteria under Section 241.3(d)(1).

If the permittee combusts a fuel that has been processed from a discarded non-hazardous secondary material pursuant to Section 241.3(b)(4) of this chapter, the permittee must keep records as to how the operations that produced the fuel satisfies the definition of processing in Section 241.2 and each of the legitimacy criteria in Section 241.3(d)(1) of this chapter. If the fuel received a non-waste determination pursuant to the petition process submitted under Section 241.3(c) of this chapter, the permittee must keep a record that documents how the fuel satisfies the requirements of the petition process. For operating units that combust non-hazardous secondary material as fuel per Section 241.4, the permittee must keep records documenting that the material is a listed non-waste under Section 241.4(a). **(40 CFR 63.11225(c)(2)(ii))**

ii. For each boiler required to conduct an energy assessment, the permittee must keep a copy of the energy assessment report. **(40 CFR 63.11225(c)(2)(iii))**

iii. For each boiler subject to an emission limit in Table 1 of 40 CFR Part 63, Subpart JJJJJJ, the permittee must also keep records of monthly fuel use by each boiler, including the type(s) of fuel and amount(s) used. **(40 CFR 63.11225(c)(2)(iv))**

c. For sources that demonstrate compliance through fuel analysis, a copy of all calculations and supporting documentation that were done to demonstrate compliance with the mercury emission limits. Supporting documentation should include results of any fuel analyses. The permittee can use the results from one fuel analysis for multiple boilers provided they are all burning the same fuel type. **(40 CFR 63.11225(c)(3))**

d. Records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment. **(40 CFR 63.11225(c)(4))**

e. Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in Section 63.11205(a), stated in SC IX.6, including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation. **(40 CFR 63.11225(c)(5))**

f. The permittee must keep the records of all inspection and monitoring data required by Sections 63.11221 and 63.11222, and the information identified in paragraphs (c)(6)(i) through (vi) of Section 63.11225, as listed below, for each required inspection or monitoring. **(40 CFR 63.11225(c)(6))**

i. The date, place, and time of the monitoring event. **(40 CFR 63.11225(c)(6)(i))**

ii. Person conducting the monitoring. **(40 CFR 63.11225(c)(6)(ii))**

iii. Technique or method used. **(40 CFR 63.11225(c)(6)(iii))**

iv. Operating conditions during the activity. **(40 CFR 63.11225(c)(6)(iv))**

v. Results, including the date, time, and duration of the period from the time the monitoring indicated a problem to the time that monitoring indicated proper operation. **(40 CFR 63.11225(c)(6)(v))**

vi. Maintenance or corrective action taken (if applicable). **(40 CFR 63.11225(c)(6)(vi))**

g. If the permittee uses a bag leak detection system, the permittee must keep the records specified in paragraphs (c)(7)(i) through (iii) of Section 63.11225, as listed below. **(40 CFR 63.11225(c)(7))**

i. Records of the bag leak detection system output. **(40 CFR 63.11225(c)(7)(i))**

ii. Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection system settings. **(40 CFR 63.11225(c)(7)(ii)**

iii. The date and time of all bag leak detection system alarms, and for each valid alarm, the time the permittee initiated corrective action, the corrective action taken, and the date on which corrective action was completed. **(40 CFR 63.11225(c)(7)(iii))**

14. The permittee's records must be in a form suitable and readily available for expeditious review. The permittee must keep each record for 5 years following the date of each recorded action. The permittee must keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. The permittee may keep the records off site for the remaining 3 years. **(40 CFR 63.11225(d))**

See Appendices {Enter 3, 4, and/or 7}

VII. REPORTING

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**

2. Semiannual reporting of monitoring and deviations pursuant to General Condition 23 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for reporting period July 1 to December 31 and September 15 for reporting period January 1 to June 30. **(R 336.1213(3)(c)(i))**

3. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for the previous calendar year. **(R 336.1213(4)(c))**

4. The permittee must submit a signed certification in the Notification of Compliance Status report that an energy assessment of the boiler and its energy use systems was completed according to Table 2 to 40 CFR Part 63, Subpart JJJJJJ and is an accurate depiction of the permittee's facility. **(40 CFR 63.11214(c))**

5. The permittee must report each instance in which the permittee did not meet each emission limit and operating limit in Tables 1 and 3 of 40 CFR Part 63, Subpart JJJJJJ that apply to the permittee. These instances are deviations from the emission limits in 40 CFR Part 63, Subpart JJJJJJ. These deviations must be reported according to the requirements in Section 63.11225. **(40 CFR 63.11222(b))**

5. The permittee must submit the notifications specified in paragraphs (a)(1) through (5) of Section 63.11225, as listed below, to the administrator. **(40 CFR 63.11225(a))**
   a. The permittee must submit all of the notifications in Sections 63.7(b); 63.8(e) and (f); and 63.9(b) through (e), (g), and (h) that apply to the permittee by the dates specified in those Sections except as specified in paragraphs (a)(2) and (4) of Section 63.11225. **(40 CFR 63.11225(a)(1))**
   b. An Initial Notification must be submitted no later than January 20, 2014 or within 120 days after the source becomes subject to the standard. **(40 CFR 63.11225(a)(2))**
   c. If the permittee is required to conduct a performance stack test the permittee must submit a Notification of Intent to conduct a performance test at least 60 days before the performance stack test is scheduled to begin. **(40 CFR 63.11225(a)(3))**
   d. The permittee must submit the Notification of Compliance Status no later than 120 days after the applicable compliance date specified in Section 63.11196, stated in SC IX.4 or SC IX.5, unless the permittee must conduct a performance stack test. If the permittee must conduct a performance stack test, the permittee must submit the Notification of Compliance Status within 60 days of completing the performance stack test. The permittee must submit the Notification of Compliance Status in accordance with paragraphs (a)(4)(i) and (vi) of Section 63.11225, as listed below. The Notification of Compliance Status must include the information and certification(s) of compliance in paragraphs (a)(4)(i) through (v) of Section 63.11225, as applicable, and signed by a responsible official. **(40 CFR 63.11225(a)(4))**
      i. The permittee must submit the information required in Section 63.9(h)(2), except the information listed in Section 63.9(h)(2)(i)(B), (D), (E), and (F). If the permittee conducts any performance tests or CMS performance evaluations, the permittee must submit that data as specified in paragraph (e) of Section 63.11225, stated in SC VII.7 and SC VII.8. If the permittee conducts any opacity or visible emission observations, or other monitoring procedures or methods, the permittee must submit that data to the Administrator at the appropriate address listed in Section 63.13. **(40 CFR 63.11225(a)(4)(i))**
      ii. "This facility has had an energy assessment performed according to Section 63.11214(c)." **(40 CFR 63.11225(a)(4)(iii))**
      iii. For units that install bag leak detection systems: "This facility complies with the requirements in Section 63.11224(f)." **(40 CFR 63.11225(a)(4)(iv))**
      iv. For units that do not qualify for a statutory exemption as provided in Section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit." **(40 CFR 63.11225(a)(4)(v))**
      v. The notification must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to 40 CFR Part 63, Subpart JJJJJJ is not available in CEDRI at the time that the report is due, the written Notification of Compliance Status must be submitted to the Administrator at the appropriate address listed in Section 63.13. **(40 CFR 63.11225(a)(4)(vi))**
   e. If the permittee is using data from a previously conducted emission test to serve as documentation of conformance with the emission standards and operating limits of 40 CFR Part 63, Subpart JJJJJJ, the

permittee must include in the Notification of Compliance Status the date of the test and a summary of the results, not a complete test report, relative to 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11225(a)(5))**

6. The permittee must prepare, by March 1 of each year, and submit to the delegated authority upon request, an annual compliance certification report for the previous calendar year containing the information specified in paragraphs (b)(1) through (4) of Section 63.11225, as listed below. The permittee must submit the report by March 15 if the permittee had any instance described by paragraph (b)(3) of Section 63.11225. **(40 CFR 63.11225(b))**
   a. Company name and address. **(40 CFR 63.11225(b)(1))**
   b. Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of 40 CFR Part 63, Subpart JJJJJJ. The permittee's notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official: **(40 CFR 63.11225(b)(2))**
      i. For units that do not qualify for a statutory exemption as provided in Section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit." **(40 CFR 63.11225(b)(2)(ii))**
      ii. "This facility complies with the requirement in Sections 63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available." **(40 CFR 63.11225(b)(2)(iii))**
   c. If the source experiences any deviations from the applicable requirements during the reporting period, include a description of deviations, the time periods during which the deviations occurred, and the corrective actions taken. **(40 CFR 63.11225(b)(3))**
   d. The total fuel use by each affected boiler subject to an emission limit, for each calendar month within the reporting period, including, but not limited to, a description of the fuel, whether the fuel has received a non-waste determination by the permittee or EPA through a petition process to be a non-waste under Section 241.3(c), whether the fuel(s) were processed from discarded non-hazardous secondary materials within the meaning of Section 241.3, and the total fuel usage amount with units of measure. **(40 CFR 63.11225(b)(4))**

7. Within 60 days after the date of completing each performance test (defined in Section 63.2) as required by 40 CFR Part 63, Subpart JJJJJJ the permittee must submit the results of the performance tests, including any associated fuel analyses, required by 40 CFR Part 63, Subpart JJJJJJ to EPA's WebFIRE database by using CEDRI that is accessed through EPA's CDX (www.epa.gov/cdx). Performance test data must be submitted in the file format generated through use of EPA's Electronic Reporting Tool (ERT) (see *http://www.epa.gov/ttn/chief/ert/index.html*). Only data collected using test methods on the ERT Web site are subject to this requirement for submitting reports electronically to WebFIRE. Owners or operators who claim that some of the information being submitted for performance tests is confidential business information (CBI) must submit a complete ERT file including information claimed to be CBI on a compact disk or other commonly used electronic storage media (including, but not limited to, flash drives) to EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: WebFIRE Administrator, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT file with the CBI omitted must be submitted to EPA via CDX as described earlier in this paragraph. At the discretion of the delegated authority, the permittee must also submit these reports, including CBI, to the delegated authority in the format specified by the delegated authority. For any performance test conducted using test methods that are not listed on the ERT Web site, the owner or operator shall submit the results of the performance test in paper submissions to the Administrator at the appropriate address listed in Section 63.13. **(40 CFR 63.11225(e)(1))**

8. Within 60 days after the date of completing each CEMS performance evaluation test as defined in Section 63.2, the permittee must submit relative accuracy test audit (RATA) data to EPA's CDX by using CEDRI in accordance with paragraph (e)(1) of Section 63.11225, stated in SC VII.7. Only RATA pollutants that can be documented with the ERT (as listed on the ERT Web site) are subject to this requirement. For any performance evaluations with no corresponding RATA pollutants listed on the ERT Web site, the owner or operator shall submit the results of the performance evaluation in paper submissions to the Administrator at the appropriate address listed in Section 63.13. **(40 CFR 63.11225(e)(2))**

9. If the permittee intends to commence or recommence combustion of solid waste, the permittee must provide 30 days prior notice of the date upon which the permittee will commence or recommence combustion of solid waste. The notification must identify: **(40 CFR 63.11225(f))**
   a. The name of the owner or operator of the affected source, the location of the source, the boiler(s) that will commence burning solid waste, and the date of the notice. **(40 CFR 63.11225(f)(1))**
   b. The currently applicable subcategory under 40 CFR Part 63, Subpart JJJJJJ. **(40 CFR 63.11225(f)(2))**
   c. The date on which the permittee became subject to the currently applicable emission limits. **(40 CFR 63.11225(f)(3))**
   d. The date upon which the permittee will commence combusting solid waste. **(40 CFR 63.11225(f)(4))**

10. If the permittee has switched fuels or made a physical change to the boiler and the fuel switch or change resulted in the applicability of a different subcategory within 40 CFR Part 63, Subpart JJJJJJ, in the boiler becoming subject to 40 CFR Part 63, Subpart JJJJJJ, or in the boiler switching out of 40 CFR Part 63, Subject JJJJJJ due to a change to 100 percent natural gas, or the permittee has taken a permit limit that resulted in the permittee being subject to 40 CFR Part 63, Subpart JJJJJJ, the permittee must provide notice of the date upon which the permittee switched fuels, made the physical change, or took a permit limit within 30 days of the change. The notification must identify: **(40 CFR 63.11225(g))**
   a. The name of the owner or operator of the affected source, the location of the source, the boiler(s) that have switched fuels, were physically changed, or took a permit limit, and the date of the notice. **(40 CFR 63.11225(g)(1))**
   b. The date upon which the fuel switch, physical change, or permit limit occurred. **(40 CFR 63.11225(g)(2))**

11. The owner or operator seeking to assert an affirmative defense shall submit a written report to the Administrator with all necessary supporting documentation, that it has met the requirements set forth in paragraph (a) of Section 63.11226. This affirmative defense report shall be included in the first periodic compliance, deviation report or excess emission report otherwise required after the initial occurrence of the violation of the relevant standard (which may be the end of any applicable averaging period). If such compliance, deviation report or excess emission report is due less than 45 days after the initial occurrence of the violation, the affirmative defense report may be included in the second compliance, deviation report or excess emission report due after the initial occurrence of the violation of the relevant standard. **(40 CFR 63.11226(b))**

See Appendix 8

VIII. STACK/VENT RESTRICTION(S)

The exhaust gases from the stacks listed in the table below shall be discharged unobstructed vertically upwards to the ambient air unless otherwise noted:

Stack & Vent ID	Maximum Exhaust Dimensions (inches)	Minimum Height Above Ground (feet)	Underlying Applicable Requirements
NA	NA	NA	NA

IX. OTHER REQUIREMENT(S)

1. 40 CFR Part 63, Subpart JJJJJJ applies to each existing affected source as defined in paragraph (a)(1) of Section 63.11194, as listed below. **(40 CFR 63.11194(a))**
   a. The affected source of 40 CFR Part 63, Subpart JJJJJJ is the collection of all existing industrial, commercial, and institutional boilers within a subcategory, as listed in Section 63.11200 and defined in Section 63.11237, located at an area source. **(40 CFR 63.11194(a)(1))**

2. An affected source is an existing source if the permittee commenced construction or reconstruction of the affected source on or before June 4, 2010. **(40 CFR 63.11194(b))**

3. If the permittee owns or operates an existing affected boiler, the permittee must achieve compliance with the applicable provisions in 40 CFR Part 63, Subpart JJJJJJ as specified in paragraphs (a)(1) and (3) of Section 63.11196, as listed below. **(40 CFR 63.11196(a))**
   a. If the existing affected boiler is subject to a work practice or management practice standard of a tune-up, the permittee must achieve compliance with the work practice or management practice standard no later than March 21, 2014. **(40 CFR 63.11196(a)(1))**
   b. If the existing affected boiler is subject to the energy assessment requirement, the permittee must achieve compliance with the energy assessment requirement no later than March 21, 2014. **(40 CFR 63.11196(a)(3))**

4. At all times the permittee 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 the permittee 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 that 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. **(40 CFR 63.11205(a))**

5. The permittee must demonstrate compliance with all applicable emission limits using performance stack testing, fuel analysis, or a continuous monitoring system (CMS), including a continuous emission monitoring system (CEMS), a continuous opacity monitoring system (COMS), or a continuous parameter monitoring system (CPMS), where applicable. The permittee may demonstrate compliance with the applicable mercury emission limit using fuel analysis if the emission rate calculated according to Section 63.11211(c), stated in SC V.9, is less than the applicable emission limit. Otherwise, the permittee must demonstrate compliance using stack testing. **(40 CFR 63.11205(b))**

6. For existing affected boilers that have applicable emission limits, the permittee must demonstrate initial compliance with the applicable emission limits no later than 180 days after the compliance date that is specified in Section 63.11196 and according to the applicable provisions in Section 63.7(a)(2), except as provided in paragraph (j) of Section 63.11210, as stated in SC IX.12. **(40 CFR 63.11210(b))**

7. For existing affected boilers that have applicable work practice standards, management practices, or emission reduction measures, the permittee must demonstrate initial compliance no later than the compliance date that is specified in Section 63.11196, stated in SC IX.3, and according to the applicable provisions in Section 63.7(a)(2), except as provided in paragraph (j) of Section 63.11210, stated in SC IX.12. **(40 CFR 63.11210(c))**

8. In response to an action to enforce the standards set forth in Section 63.11201 the permittee may assert an affirmative defense to a claim for civil penalties for violations of such standards that are caused by malfunction, as defined at 40 CFR 63.2. Appropriate penalties may be assessed if the permittee fails to meet the permittee's burden of proving all of the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief. **(40 CFR 63.11226)**

9. If the permittee owns or operates an industrial, commercial, or institutional boiler and would be subject to 40 CFR Part 63, Subpart JJJJJJ except for the exemption in Section 63.11195(b) for commercial and industrial solid waste incineration units covered by 40 CFR Part 60, Subpart CCCC or Subpart DDDD, and the permittee ceases combusting solid waste, the permittee must be in compliance with 40 CFR Part 63, Subpart JJJJJJ on the effective date of the waste to fuel switch as specified in Section 60.2145(a)(2) and (3) of Subpart CCCC or Section 60.2710(a)(2) and (3) of Subpart DDDD. **(40 CFR 63.11196(d))**

10. For affected boilers that ceased burning solid waste consistent with Section 63.11196(d) and for which the initial compliance date has passed, the permittee must demonstrate compliance within 60 days of the effective date of the waste-to-fuel switch as specified in Section 60.2145(a)(2) and (3) of Subpart CCCC or Section 60.2710(a)(2) and (3) of Subpart DDDD. If the permittee has not conducted their compliance demonstration for 40 CFR Part 63, Subpart JJJJJJ within the previous 12 months, the permittee must complete all compliance demonstrations for 40 CFR Part 63, Subpart JJJJJJ before commencing or recommencing combustion of solid waste. **(40 CFR 63.11210(g))**

11. For affected boilers that switch fuels or make a physical change to the boiler that results in the applicability of a different subcategory within 40 CFR Part 63, Subpart JJJJJJ or the boiler becoming subject to 40 CFR Part 63, Subpart JJJJJJ, the permittee must demonstrate compliance within 180 days of the effective date of the fuel switch or the physical change. Notification of such changes must be submitted according to Section 63.11225(g), stated in VII.10. **(40 CFR 63.11210(h))**

12. For existing affected boilers that have not operated between the effective date of the rule and the compliance date that is specified for the permittee's source in Section 63.11196, the permittee must comply with the applicable provisions as specified in paragraphs (j)(1) and (3) of Section 63.11210, as listed below. **(40 CFR 63.11210(j))**
    a. The permittee must complete the initial compliance demonstration, if subject to the emission limits in Table 1 to 40 CFR 63, Subpart JJJJJJ, as specified in paragraphs (a) and (b) of 40 CFR 63.11210, no later than 180 days after the re-start of the affected boiler and according to the applicable provisions in 40 CFR 63.7(a)(2). **(40 CFR 63.11210(j)(1))**
    b. The permittee must complete the one-time energy assessment, if subject to the energy assessment requirements specified in Table 2 of 40 CFR Part 63, Subpart JJJJJJ, no later than the compliance date specified in Section 63.11196, stated in SC IX.3. **(40 CFR 63.11210(j)(3))**

13. Table 8 of 40 CFR Part 63, Subpart JJJJJJ shows which parts of the General Provisions in Sections 63.1 through 63.15 apply to the permittee. **(40 CFR 63.11235)**

Footnotes:
[1] This condition is state only enforceable and was established pursuant to Rule 201(1)(b).
[2] This condition is federally enforceable and was established pursuant to Rule 201(1)(a).