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(2) Where a seal mechanism is used to comply with §63.1362(j)(2), hourly records of flow are not required. In such cases, the owner or operator shall record that the monthly visual inspection of the seals or closure mechanism has been done, and shall record the occurrence of all periods when the seal mechanism is broken, the bypass line valve position has changed, or the key for a lock-and-key type lock has been checked out, and records of any car-seal that has broken.

(g) *Records of primary use.* For a PAI process unit that is used to produce a given material for use as a PAI as well as for other purposes, the owner or operator shall keep records of the total production and the production for use as a PAI on a semiannual or more frequent basis if the use as a PAI is not the primary use.

§ 63.1368 Reporting requirements.

(a) The owner or operator of an affected source shall comply with the reporting requirements of paragraphs (b) through (l) of this section. The owner or operator shall also comply with applicable paragraphs of §§63.9 and 63.10 of subpart A of this part, as specified in Table 1 of this subpart.

(b) *Initial notification.* The owner or operator shall submit the applicable initial notification in accordance with §63.9(b) or (d) of subpart A of this part.

(c) *Application for approval of construction or reconstruction.* The owner or operator who is subject to §63.5(b)(3) of subpart A of this part shall submit to the Administrator an application for approval of the construction of a new major source, the reconstruction of a major affected source, or the reconstruction of a major affected source subject to the standards. The application shall be prepared in accordance with §63.5(d) of subpart A of this part.

(d) *Notification of continuous monitoring system performance evaluation.* An owner or operator who is required by the Administrator to conduct a performance evaluation for a continuous monitoring system that is used to comply with the alternative standard in §63.1362(b)(6) or (c)(4) shall notify the Administrator of the date of the performance evaluation as specified in §63.8(e)(2) of subpart A of this part.

(e) *Precompliance plan.* The Precompliance plan shall be submitted at least 6 months prior to the compliance date of the standard. For new sources, the Precompliance plan shall be submitted to the Administrator with the application for approval of construction or reconstruction. The Administrator shall have 90 days to approve or disapprove the Precompliance plan. The Precompliance plan shall be considered approved if the Administrator either approves it in writing, or fails to disapprove it in writing within the 90-day time period. The 90-day period shall begin when the Administrator receives the Precompliance plan. If the Precompliance plan is disapproved, the owner or operator must still be in compliance with the standard by the compliance date. To change any of the information submitted in the Precompliance plan, the owner or operator shall notify the Administrator at least 90 days before the planned change is to be implemented; the change shall be considered approved if the Administrator either approves the change in writing, or fails to disapprove the change in writing within 90 days of receipt of the change. The Precompliance plan shall include the information specified in paragraphs (e)(1) through (5) of this section.

(1) Requests for approval to use alternative monitoring parameters or requests to set monitoring parameters according to §63.1366(b)(4).

(2) Descriptions of the daily or per batch demonstrations to verify that control devices subject to §63.1366(b)(1)(i) are operating as designed.

(3) Data and rationale used to support the parametric monitoring level(s) that are set according to §63.1366(b)(3)(ii)(B).

(4) For owners and operators complying with the requirements of §63.1362(i), the pollution prevention demonstration summary required in §63.1365(g)(3).

(5) Data and rationale used to support an engineering assessment to calculate uncontrolled emissions from process vents as required in §63.1365(c)(2)(ii).

(6) For fabric filters that are monitored with bag leak detectors, an operation and maintenance plan that describes proper operation and maintenance procedures, and a corrective action plan that describes corrective actions to be taken, and the timing of those actions, when the particulate matter concentration exceeds the setpoint and activates the alarm.

(f) *Notification of compliance status report.* The Notification of Compliance Status report required under § 63.9(h) shall be submitted no later than 150 calendar days after the compliance date and shall include the information specified in paragraphs (f)(1) through (7) of this section.

(1) The results of any applicability determinations, emission calculations, or analyses used to identify and quantify HAP emissions from the affected source.

(2) The results of emissions profiles, performance tests, engineering analyses, design evaluations, or calculations used to demonstrate compliance. For performance tests, results should include descriptions of sampling and analysis procedures and quality assurance procedures.

(3) Descriptions of monitoring devices, monitoring frequencies, and the values of monitored parameters established during the initial compliance determinations, including data and calculations to support the levels established.

(4) Operating scenarios.

(5) Descriptions of absolute or hypothetical peak-case operating and/or testing conditions for control devices.

(6) Identification of emission points subject to overlapping requirements described in § 63.1360(h) and the authority under which the owner or operator will comply, and identification of emission sources discharging to devices described by § 63.1362(l).

(7) Anticipated periods of planned routine maintenance during which the owner or operator would not be in compliance with the provisions in § 63.1362(c)(1) through (4).

(8) Percentage of total production from a PAI process unit that is anticipated to be produced for use as a PAI in the 3 years after either June 23, 1999 or startup, whichever is later.

(g) *Periodic reports.* The owner or operator shall prepare Periodic reports in accordance with paragraphs (g)(1) and (2) of this section and submit them to the Administrator.

(1) *Submittal schedule.* Except as provided in paragraphs (g)(1)(i) and (ii) of this section, the owner or operator shall submit Periodic reports semi-annually, beginning 60 operating days after the end of the applicable reporting period. The first report shall be submitted no later than 240 days after the date the Notification of Compliance Status report is due and shall cover the 6-month period beginning on the date the Notification of Compliance Status report is due.

(i) The Administrator may determine on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the affected source.

(ii) Quarterly reports shall be submitted when the monitoring data are used to comply with the alternative standards in § 63.1362(b)(6) or (c)(4) and the source experiences excess emissions. Once an affected source reports excess emissions, the affected source shall follow a quarterly reporting format until a request to reduce reporting frequency is approved. If an owner or operator submits a request to reduce the frequency of reporting, the provisions in § 63.10(e)(3) (ii) and (iii) of subpart A of this part shall apply, except that the term "excess emissions and continuous monitoring system performance report and/or summary report" shall mean "Periodic report" for the purposes of this section.

(2) *Content of periodic report.* The owner or operator shall include the information in paragraphs (g)(2)(i) through (vi) of this section, as applicable.

(i) Each Periodic report must include the information in § 63.10(e)(3)(vi)(A) through (M) of subpart A of this part, as applicable.

(ii) If the total duration of excess emissions, parameter exceedances, or excursions for the reporting period is 1 percent or greater of the total operating time for the reporting period, or the total continuous monitoring system downtime for the reporting period

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is 5 percent or greater of the total operating time for the reporting period, the Periodic report must include the information in paragraphs (g)(2)(ii)(A) through (D) of this section.

(A) Monitoring data, including 15-minute monitoring values as well as daily average values of monitored parameters, for all operating days when the average values were outside the ranges established in the Notification of Compliance Status report or operating permit.

(B) Duration of excursions, as defined in § 63.1366(b)(7).

(C) Operating logs and operating scenarios for all operating days when the values are outside the levels established in the Notification of Compliance Status report or operating permit.

(D) When a continuous monitoring system is used, the information required in § 63.10(c)(5) through (13) of subpart A of this part.

(iii) For each vapor collection system or closed vent system with a bypass line subject to § 63.1362(j)(1), records required under § 63.1366(f) of all periods when the vent stream is diverted from the control device through a bypass line. For each vapor collection system or closed vent system with a bypass line subject to § 63.1362(j)(2), records required under § 63.1366(f) of all periods in which the seal mechanism is broken, the bypass valve position has changed, or the key to unlock the bypass line valve was checked out.

(iv) The information in paragraphs (g)(2)(iv)(A) through (D) of this section shall be stated in the Periodic report, when applicable.

(A) No excess emissions.

(B) No exceedances of a parameter.

(C) No excursions.

(D) No continuous monitoring system has been inoperative, out of control, repaired, or adjusted.

(v) For each storage vessel subject to control requirements:

(A) Actual periods of planned routine maintenance during the reporting period in which the control device does not meet the specifications of § 63.1362(c)(5); and

(B) Anticipated periods of planned routine maintenance for the next reporting period.

(vi) For each PAI process unit that does not meet the definition of primary use, the percentage of the production in the reporting period produced for use as a PAI.

(viii) Updates to the corrective action plan.

(h) *Notification of process change.* (1) Except as specified in paragraph (h)(2) of this section, whenever a process change is made, or any of the information submitted in the Notification of Compliance Status report changes, the owner or operator shall submit a report quarterly. The report may be submitted as part of the next Periodic report required under paragraph (g) of this section. The report shall include:

(i) A brief description of the process change;

(ii) A description of any modifications to standard procedures or quality assurance procedures;

(iii) Revisions to any of the information reported in the original Notification of Compliance Status report under paragraph (f) of this section; and

(iv) Information required by the Notification of Compliance Status report under paragraph (f) of this section for changes involving the addition of processes or equipment.

(2) The owner or operator must submit a report 60 days before the scheduled implementation date of either of the following:

(i) Any change in the activity covered by the Precompliance report.

(ii) A change in the status of a control device from small to large.

(i) *Reports of startup, shutdown, and malfunction.* For the purposes of this subpart, the startup, shutdown, and malfunction reports shall be submitted on the same schedule as the Periodic reports required under paragraph (g) of this section instead of the schedule specified in § 63.10(d)(5)(i) of subpart A of this part. These reports shall include the information specified in § 63.1367(a)(3)(i) through (iii) and shall contain the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy. Reports are only required if a startup, shutdown, or malfunction occurred during the reporting period. Any time an owner or operator takes an action that is not consistent with

the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator shall submit an immediate startup, shutdown, and malfunction report as specified in § 63.10(d)(5)(ii) of subpart A of this part.

(j) *Reports of equipment leaks.* The owner or operator of an affected source subject to the standards in § 63.1363, shall implement the reporting requirements specified in § 63.1363(h). Copies of all reports shall be retained as records for a period of 5 years, in accordance with the requirements of § 63.10(b)(1) of subpart A of this part.

(k) *Reports of emissions averaging.* The owner or operator of an affected source that chooses to comply with the requirements of § 63.1362(h) shall submit all information as specified in § 63.1367(d) for all emission points included in the emissions average. The owner or operator shall also submit to the Administrator all information specified in paragraph (g) of this section for each emission point included in the emissions average.

(l) The reports shall also include the information listed in paragraphs (k)(1)(i) through (iv) of this section:

(i) Any changes to the processes, storage tanks, or waste management unit included in the average.

(ii) The calculation of the debits and credits for the reporting period.

(iii) Changes to the Emissions Averaging Plan which affect the calculation methodology of uncontrolled or controlled emissions or the hazard or risk equivalency determination.

(iv) Any changes to the parameters monitored according to § 63.1366(g).

(2) Every second semiannual or fourth quarterly report, as appropriate, shall include the results according to § 63.1367(d)(4) to demonstrate the emissions averaging provisions of § 63.1362(h), § 63.1365(h), § 63.1366(g), and § 63.1367(d) are satisfied.

(l) *Reports of heat exchange systems.* The owner or operator of an affected source subject to the requirements for heat exchange systems in § 63.1362(f) shall submit information about any delay of repairs as specified in § 63.104(f)(2) of subpart F of this part,

except that when the phrase "periodic reports required by § 63.152(c) of subpart G of this part" is referred to in § 63.104(f)(2) of subpart F of this part, the periodic reports required in paragraph (g) of this section shall apply for the purposes of this subpart.

(m) *Notification of performance test and test Plan.* The owner or operator of an affected source shall notify the Administrator of the planned date of a performance test at least 60 days before the test in accordance with § 63.7(b) of subpart A of this part. The owner or operator also must submit the test Plan required by § 63.7(c) of subpart A of this part and the emission profile required by § 63.1365(b)(10)(ii) with the notification of the performance test.

(n) *Request for extension of compliance.* The owner or operator may submit to the Administrator a request for an extension of compliance in accordance with § 63.1364(a)(2).

(o) The owner or operator who submits an operating permit application before the date the Emissions Averaging Plan is due shall submit the information specified in paragraphs (o)(1) through (3) of this section with the operating permit application instead of the Emissions Averaging Plan.

(1) The information specified in § 63.1367(d) for emission points included in the emissions average;

(2) The information specified in § 63.9(h) of subpart A of this part, as applicable; and

(3) The information specified in paragraph (e) of this section, as applicable.

§ 63.1369 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 112(d) of the CAA, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) The authority conferred in § 63.177 of subpart H of this part, the authority to approve applications for determination of equivalent means of emission limitation, and the authority to approve alternative test methods shall not be delegated to any State.