

The EPA Administrator, Gina McCarthy, signed the following rule on December 21, 2016, and EPA is submitting it for publication in the *Federal Register* (FR). While we have taken steps to ensure the accuracy of this Internet version of the rule, it is not the official version of the rule for purposes of compliance. Please refer to the official version in a forthcoming FR publication, which will appear on the Government Printing Office's FDSys website (<http://fdsys.gpo.gov/fdsys/search/home.action>) and on Regulations.gov (<http://www.regulations.gov>) in Docket No. EPA-HQ-OAR-2009-0174. Once the official version of this document is published in the FR, this version will be removed from the Internet and replaced with a link to the official version.

6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 60**

[EPA-HQ-OAR-2009-0174; FRL-XXXX-XX-OAR]

RIN 2060-AP63

**Electronic Reporting and Recordkeeping Requirements for New Source Performance Standards**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; amendments.

**SUMMARY:** The Environmental Protection Agency (EPA) is finalizing revisions to title 40 of the Code of Federal Regulations (CFR) part 60 General Provisions and various new source performance standards (NSPS) subparts to require affected facilities to submit specified air emissions data reports to the EPA electronically and to allow affected facilities to maintain electronic records of these reports.

The electronic submittal of the reports addressed in this rulemaking will increase the usefulness of the data contained in those reports; is in keeping with current trends in data availability and transparency; will further assist in the protection of public health and the environment; will improve

compliance by facilitating the ability of regulated facilities to demonstrate compliance with NSPS requirements by facilitating the ability of delegated state, local, tribal, and territorial air agencies (air agencies), and the EPA to assess and determine compliance; and will ultimately reduce burden on regulated facilities, delegated air agencies, and the EPA. Electronic submittal of the reports addressed in this rulemaking will facilitate more accurate and timely development of numerous efforts, including regulations, emissions factors, emissions inventories, trends analysis, regional and local scale air quality modeling, regulatory impact assessments, and human exposure modeling.

**DATES:** This final rule is effective on **[insert date of publication in the Federal Register]**.

**ADDRESSES:** We have established a docket for this rulemaking under Docket ID Number EPA-HQ-OAR-2009-0174. All documents in the docket are listed on the [www.regulations.gov](http://www.regulations.gov) Web site. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in

hard copy form. Publicly available docket materials are available electronically through <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Gerri Garwood, Measurement Policy Group (MPG), Sector Policies and Programs Division (D243-05), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number: (919) 541-2406; fax number: (919) 541-1039; and email address: [garwood.gerri@epa.gov](mailto:garwood.gerri@epa.gov).

**SUPPLEMENTARY INFORMATION:**

Preamble Acronyms and Abbreviations. Several acronyms and abbreviations are included in this preamble. To ease the reading of this preamble and for reference purposes, the following terms and acronyms are defined here:

CAA	Clean Air Act
CBI	Confidential Business Information
CDX	Central Data Exchange
CEDRI	Compliance and Emissions Data Reporting Interface
CEMS	Continuous Emissions Monitoring System
CFR	Code of Federal Regulations
CHIEF	Clearinghouse for Inventories and Emissions Factors
CMS	Continuous Monitoring System
COR	Copy of Record
CRA	Congressional Review Act
CROMERR	Cross-Media Electronic Reporting Rule
ECMPS	Emissions Collection and Monitoring Plan System
e-DMR	electronic Discharge Monitoring Report
e-GGRT	electronic Greenhouse Gas Reporting Tool
EGU	Electric Utility Steam Generating Unit
EIA	Economic Impact Analysis
EPA	Environmental Protection Agency
ERT	Electronic Reporting Tool
ESA	Electronic Signature Agreement

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FR	Federal Register
FRS	Facility Registry Service
ICR	Information Collection Request
MPG	Measurement Policy Group
MS	Microsoft
NSPS	New Source Performance Standards
NTTAA	National Technology Transfer and Advancement Act
OIRA	Office of Information and Regulatory Affairs
OMB	Office of Management and Budget
pdf	portable document format
PRA	Paperwork Reduction Act
RATA	Relative Accuracy Test Audit
RFA	Regulatory Flexibility Act
UMRA	Unfunded Mandates Reform Act
WebFIRE	Web Factor and Information Retrieval Database
XML	Extensible Markup Language

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**I. General Information**

- A. Does this action apply to me?

This document is a prepublication version, signed by EPA Administrator, Gina McCarthy on 12/21/2016. We have taken steps to ensure the accuracy of this version, but it is not the official version.

You are affected by this action if you own or operate facilities in the industry groups that are subject to NSPS in part 60 of title 40 of the CFR that require submission of the reports addressed in this rulemaking. See Tables 1 and 2 in section VII of this preamble for more information regarding the 40 CFR part 60 regulations that are affected by this action.

B. What action are we taking?

In this action, we are finalizing revisions to the 40 CFR part 60 General Provisions and various NSPS to require affected facilities to submit specified air emissions data reports to us electronically and to allow affected facilities to maintain electronic records of these reports.

C. What is our authority for taking this action?

Section 111 of the Clean Air Act (CAA) requires us to list categories of stationary sources that may reasonably be expected to endanger public health or welfare and to establish standards of performance for new sources for such categories, and CAA section 111(b)(1)(B) directs our Administrator to periodically review and, if necessary, revise such standards. In addition, CAA section 114 of the CAA provides a range of authorities, including authorizing us in each NSPS to require certain reports to be submitted and records to be maintained that are necessary for the Administrator to assess and determine compliance with

the established standards of performance. In this action, we are revising certain sections of the NSPS General Provisions and individual NSPS to require electronic reporting of some types of reports required by the NSPS. Requiring electronic reporting of data is consistent with current trends in data availability and transparency; will increase the usefulness of the data; will further assist in protection of public health and the environment; will improve compliance with NSPS requirements by facilitating the ability of regulated facilities to demonstrate compliance and the ability of delegated air agencies and the EPA to assess and determine compliance; and will ultimately reduce burden on regulated sources, delegated air agencies, and the EPA.

D. What are the incremental costs and benefits of this action?

Electronic reporting reduces data entry by allowing owners and operators to reuse portions of older reports, as well as using data that is already in the EPA's system. Additionally, the majority of facilities collect data electronically; an electronic reporting system allows facilities to leverage their data acquisition systems to populate reports instead of having to hand enter data. Report standardization outlines the required data elements and provides imbedded QA checks. Furthermore, the number of information collection requests (ICRs) we will need to

issue in the future should be diminished in number and scope. Finally, we anticipate the majority of air agencies will eventually use the EPA's electronic reporting system, and this would reduce reporting to multiple agencies, as well as the need for paper copies of reports.

We estimate total annualized savings for regulated facilities due to these amendments to be approximately \$1.4 million per year. The estimate reflects a 7-percent discount rate, a 7-percent cost of capital, and a 20-year annualization period.

The total annualized savings estimate reflects different assumptions for year 1, year 2, year 3, year 4, and year 5 through year 20. We recognize that there are initial costs associated with this action because air agencies need time to transition to electronic reporting, there is a learning curve associated with the use of our electronic reporting system, and data need to be entered initially which will be automatically populated in future reports. Additionally, because we have made the compliance date for electronic submittal of summary reports,<sup>1</sup> excess emission reports, and subpart-specific reports to be 2 years from publication of this final action and the compliance

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<sup>1</sup> See section III.A of this preamble for a description of the report types affected by this final action.



date for electronic submittal of performance test reports and performance evaluation reports 90 days from publication of this final action, there are different timeframes for initial learning curves and implementation for these reports, as reflected in the first 4 years of the analysis.

We estimate the cost of this action for regulated facilities to be \$5 million for the first year, \$3.3 million for the second year, \$4 million for the third year, and \$3 million for the fourth year. As facilities become familiar with the system and data are populated in the system, this will switch to a cost savings. We believe that starting in year 5, the transition to electronic reporting for all reports will be complete, and we estimate that there will be a cost savings of approximately \$3.9 million for every year from year 5 through year 20. For more information on the details of the impact analysis, see section VI of this preamble.

E. Where can I obtain a copy of this document and other related information?

In addition to being available in the docket, you can obtain an electronic copy of this action on the Internet through the EPA's Web site. Following signature by the EPA Administrator, we will post a copy of this final action at the following Web site: <https://www.epa.gov/stationary-sources-air->

[pollution/new-source-performance-standards](#). Following publication in the **Federal Register**, we will post the **Federal Register** version of this final action and key technical documentation at this same Web site.

#### F. Judicial Review and Administrative Reconsideration

Under CAA section 307(b)(1), judicial review of this final action is available only by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit by **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. Under CAA section 307(b)(2), the requirements established by these final rules may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce the requirements.

Section 307(d)(7)(B) of the CAA further provides that “[o]nly an objection to a rule or procedure which was raised with reasonable specificity during the period for public comment (including any public hearing) may be raised during judicial review.” This section also provides a mechanism for the EPA to reconsider the rule “[i]f the person raising an objection can demonstrate to the Administrator that it was impracticable to raise such objection within [the period for public comment] or if the grounds for such objection arose after the period for public comment (but within the time specified for judicial

review) and if such objection is of central relevance to the outcome of the rule." Any person seeking to make such a demonstration should submit a Petition for Reconsideration to the Office of the Administrator, U.S. EPA, Room 3000, WJC Building, 1200 Pennsylvania Ave., NW, Washington, DC 20460, with a copy to both the person(s) listed in the preceding FOR FURTHER INFORMATION CONTACT section, and the Associate General Counsel for the Air and Radiation Law Office, Office of General Counsel (Mail Code 2344A), U.S. EPA, 1200 Pennsylvania Ave., NW, Washington, DC 20460.

## **II. Background**

### A. What changes did we propose for the NSPS in our March 20, 2015, proposal?

On March 20, 2015, we published a proposed rule in the **Federal Register** (76 FR 72508) for the General Provisions and 75 NSPS to require the electronic submittal of certain reports to the EPA. In the 2015 proposed rule, we proposed:

- Electronic submission of performance test reports, performance evaluation reports, summary reports, excess emission reports, and subpart-specific reports similar to these reports;
- Electronic recordkeeping of reports that are electronically submitted to us;
- Revisions to certain subpart-specific reports to require identifying information for performance test and performance evaluation reports in lieu of submitting the results of those performance tests and/or performance evaluations in the subpart-specific report, since these

reports will already be readily available and searchable through the EPA's Web Factor and Information Retrieval (WebFIRE) database;

- Updates to existing electronic reporting language in certain NSPS to make the existing requirements consistent with the proposed electronic reporting requirements; and
- Revision of 40 CFR 60.4(b) such that submittal of reports to us electronically suffices for submittal of reports to the EPA regional offices.

The proposed rule did not require submittal of any information that is not already required to be submitted under the current NSPS nor did it change the reporting schedule. We proposed that this action would be effective 90 days after publication in the **Federal Register**.

B. Why do we want data to be submitted electronically?

The electronic submittal of reports increases the usefulness of the data contained in those reports, is in keeping with current trends in data availability and transparency, will further assist in the protection of public health and the environment, and will ultimately result in less burden on regulated facilities. It also will improve compliance by facilitating the ability of regulated facilities to demonstrate compliance and the ability of air agencies and the EPA to assess and determine compliance. Electronic storage of reports makes data more accessible for review, analyses, and sharing.

Electronic reporting also eliminates paper-based, manual processes; thereby saving time and resources, simplifying data

entry, eliminating redundancies, minimizing data reporting errors, and providing data quickly and accurately to the affected facilities, air agencies, us, and the public.

By making data readily available, electronic reporting increases the amount of data that can be used for many purposes. One example is the development of emissions factors. An emissions factor is a representative value that attempts to relate the quantity of a pollutant released to the atmosphere with an activity associated with the release of that pollutant (e.g., kilograms of particulate emitted per megagram of coal burned). Such factors facilitate the estimation of emissions from various sources of air pollution and are an important tool in developing emissions inventories, which in turn are the basis for numerous efforts, including trends analysis, regional and local scale air quality modeling, regulatory impact assessments, and human exposure modeling. Emissions factors are also widely used in regulatory applicability determinations and in permitting decisions.

Additionally, as a result of having performance test reports and air emission reports readily accessible, our ability to carry out comprehensive CAA-required technology and risk-based reviews will be increased and achieved within a shorter period of time. We also anticipate fewer or less substantial

ICRs in conjunction with prospective CAA-required technology and risk-based reviews may be needed, which results in a decrease in time spent by industry to respond to data collection requests as well as reduced testing costs.

Air agencies, as well as the EPA, can benefit from more streamlined and automated review of electronically submitted data. Standardizing report formats allows air agencies and us to review reports and data more quickly. Electronic reports and associated data facilitate downloading and analyzing data in spreadsheet format. Additionally, air agencies and the EPA can access reports wherever and whenever they want or need, as long as they have access to the Internet. The ability to access and review reports electronically will also assist air agencies and us to more quickly and accurately determine compliance with the applicable regulations.

In 2011, in response to Executive Order 13563, the EPA developed a plan to periodically review its regulations to determine if they should be modified, streamlined, expanded, or repealed in an effort to make regulations more effective and less burdensome.<sup>2</sup> The plan includes replacing outdated paper

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<sup>2</sup> EPA's Final Plan for Periodic Retrospective Reviews, August 2011. Available at: <https://www.whitehouse.gov/sites/default/files/other/2011-regulatory-action-plans/environmentalprotectionagencyregulatoryreformplanaugust2011.pdf>.

reporting with electronic reporting. In keeping with this plan and the White House's Digital Government Strategy,<sup>3</sup> in 2013 we established an agency-wide policy on electronic reporting.<sup>4</sup> By requiring electronic submission of the specified reports in this action, we are taking steps to implement this policy.

C. How are delegated air agencies impacted?

We are not changing the delegation of authority for air agencies with this action or the fundamental roles and responsibilities of the air agencies versus our roles and responsibilities. Air agencies that have been delegated authority for the NSPS will retain the primary review function of the reports submitted electronically through the Compliance and Emissions Data Reporting Interface (CEDRI). We retain the authority to review these reports as necessary. Existing agreements between air agencies and us which allow for the submission of reports to the air agency only will remain in effect until compliance with this final action is required.

In many cases, air agencies have their own rules to implement and enforce federal rules, and these rules may require

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<sup>3</sup> Digital Government: Building a 21<sup>st</sup> Century Platform to Better Serve the American People, May 2012. Available at: <https://www.whitehouse.gov/sites/default/files/omb/egov/digital-government/digital-government-strategy.pdf>.

<sup>4</sup> E-Reporting Policy Statement for EPA Regulations, September 2013. Available at: <https://www.epa.gov/sites/production/files/2016-03/documents/epa-reporting-policy-statement-2013-09-30.pdf>.

industry to submit reports to them and/or the EPA in hardcopy form. Air agency rules may require additional, but associated, information in these reports. The 2015 proposed rule did not propose to affect an air agency's delegated authority; it only prohibited air agencies from exempting sources from federal electronic reporting requirements. The proposed rule did not change how air agencies and their affected facilities currently interact. Air agencies would continue to receive reports in the format that they currently require unless they specify otherwise to facilities.

We anticipate that the majority of air agencies will choose to modify their current report submission requirements to accept those reports that are required to be submitted to us electronically in lieu of the paper reports, due to the benefits of electronic reporting. Additionally, air agencies will have access to reports submitted to us electronically via CEDRI as soon as they are submitted, regardless of whether the air agency continues to require hardcopy reports to be submitted.

### **III. Summary of Final Amendments**

#### **A. What revisions are we finalizing with this action?**

This action requires you, as owners and operators of affected sources, to submit specified reports required under 40 CFR part 60 electronically to CEDRI located on the EPA's Central



Data Exchange (CDX) (<https://cdx.epa.gov/>), the point of entry for electronic environmental data submissions to us, rather than submitting them in paper format. This action does not require the submittal of any information that is not already required to be submitted under the current NSPS that are revised by this action, and this action does not change the way in which owners and operators submit these reports to the relevant air agency.

Following is a brief description of the reports included in this action:

- Summary reports and/or excess emissions and monitoring systems performance reports (excess emission reports) are required by 40 CFR 60.7(c) and (d) when you are required to install a continuous monitoring system (CMS). Only the summary report form is required when the downtime and excess emissions durations are sufficiently low, meeting thresholds defined in 40 CFR 60.7(d). If these thresholds are exceeded, both the summary report form and the excess emission report must be submitted.
- Performance test reports required by 40 CFR 60.8 must be submitted after you conduct a required performance test to determine and demonstrate compliance with the emissions standard(s) and/or to establish control device operating parameters. Such reports must include the information required by 40 CFR 60.8(f), including the values for operating parameters for which limits are being set.
- Performance evaluation reports (also referred to as relative accuracy test audit [RATA] reports) required by 40 CFR 60.13(c) must be submitted after you conduct a required performance evaluation of a CMS to demonstrate the accuracy of the CMS.
- Subpart-specific reports that are similar to the summary reports and excess emission reports required under the 40 CFR part 60 General Provisions (e.g., annual reports, semi-annual reports).

The initial compliance date for submitting performance test reports and performance evaluation reports electronically to us is 90 days after the date of publication of these amendments (**[insert date 90 days after date of publication in the Federal Register]**). The compliance date for submitting summary report forms, excess emission reports, and subpart-specific reports similar to these reports is 2 years after the date of publication of these amendments (**[insert date 2 years after date of publication in the Federal Register]**) or once the reporting form has been available in CEDRI for 1 year, whichever is later. See section IV.A of this preamble for more information on this topic.

Some NSPS have been excluded from this final action. For example, NSPS that do not require the submission of any of the targeted air emissions data reports are excluded from this final action. In addition, a few NSPS are being addressed under separate rulemakings that would require electronic reporting. We are also excluding subparts that contain requirements for state emission guidelines and will address these subparts when an emission guideline is opened for other revisions. Finally, we are excluding new NSPS that did not exist at the time of the 2015 proposed rule. See Table 1 in section VII of this preamble

for subparts that are not being addressed in this action, as well as the explanation for why each subpart was excluded.

Table 2 in section VII of this preamble presents the subparts in 40 CFR part 60 that are affected by this action. We note that not all affected NSPS are specifically amended in this action. The NSPS that rely solely on the 40 CFR part 60 General Provisions are not being specifically amended, but are affected due to the amendments to the General Provisions. The support document in the docket for this action details the explanation for each of the amendments to 40 CFR part 60.

B. What are the effective and compliance dates of this action?

The amendments to the NSPS being promulgated in this action are effective on [**insert date of publication in the Federal Register**].

The compliance date for submitting performance test reports and performance evaluation reports electronically to us is 90 days after the date this action is published in the **Federal Register**. Starting on [**insert date 90 days after date of publication in the Federal Register**], you must submit all subsequent performance test and performance evaluation reports electronically to us. This requirement only applies to performance tests and performance evaluations performed using test methods and performance specifications supported by the

EPA's Electronic Reporting Tool (ERT) as listed on our ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the performance test.

The compliance date for submitting summary report forms, excess emission reports, and subpart-specific reports similar to these reports is 2 years after the date this action is published in the **Federal Register**, or once the relevant form has been available in CEDRI for at least 1 year, whichever is later. Starting on [**insert date 2 years after date of publication in the Federal Register**], or once the relevant form has been available in CEDRI for at least 1 year, whichever is later, you must submit all subsequent reports electronically to us on the next date that the specified report is due. We will post the date that each form becomes available on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>) and notice will be sent out through the Clearinghouse for Inventories and Emissions Factors (CHIEF) Listserv (<https://www.epa.gov/chief/chief-listserv>). As discussed in section IV.A of this preamble, this compliance date was revised from the proposed effective date of 90 days from publication of this action in the **Federal Register** based on public comment.

These provisions apply to all affected facilities, including those currently subject to the applicable NSPS, as well as any new, modified, or reconstructed sources. Please note that the compliance date for these amendments would not affect a facility's obligation during the time period between publication of this action in the **Federal Register** and the compliance date to timely submit these reports to the delegated air agency and the EPA regional office, as applicable, in the manner in which they are currently submitted.

C. What steps do you need to take to electronically submit reports to us?

1. The ERT

The EPA's ERT creates electronic versions of stationary source sampling test plans and reports of test results for performance tests and performance evaluations. Once your ERT package is created, you must go into the EPA's CDX to upload the package for submittal. Currently, the EPA's ERT is a Microsoft (MS) Access® application, but we are working on developing a Web-based version of the ERT. Additionally, we have posted an extensible markup language (XML) schema of data elements contained in the ERT on the ERT Web site to allow the development of alternative software options. Third-party software must contain all of the same data elements required by

the ERT. We will not preapprove third-party software or maintain a list of available third-party software. Third-party software will be validated through CEDRI submittal; only software that meets the requirements of the XML schema located on the ERT Web site will be accepted by CEDRI. If you choose to use third-party software, it is your responsibility to ensure that the third-party software is acceptable. Use of a third-party software that does not meet the requirements of our XML schema does not relieve you of your responsibility to electronically submit the report by the submittal deadline.

The requirement to submit performance test reports and performance evaluation reports electronically for the affected NSPS is limited to those reports involving test methods and performance specifications that are supported by the EPA's ERT, as listed on the ERT Web site at the time of the test. All other performance tests and performance evaluation reports must continue to be submitted in hardcopy format (or other agreed upon format) to the delegated air agency and the EPA regional office, as applicable. The test methods and performance specifications currently supported by the ERT are listed in Table 3 (in section VII of this preamble) and on the ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>). We expect this list to

change and expand over time. When we add new test methods and performance specifications to the ERT, a notice will be sent out through the CHIEF Listserv, and the ERT Web site will be updated. You will be required to use the ERT to report data if the method is listed on the ERT Web site at the time of the performance test or performance evaluation. As such, we encourage you and your performance testing contractors to check the Web site regularly for up-to-date information on methods and performance specifications supported by the ERT.

## 2. Registering for CDX/CEDRI

In order to electronically submit the reports subject to this action, you first need to visit the CDX homepage (<https://cdx.epa.gov/>) and register in CDX, the point of entry for submission of electronic data to us. Once you have successfully registered in CDX, you will receive confirmation of successful registration, and you will be able to log in to CDX by navigating to the CDX home page and entering your user ID and password. Once in CDX, you can select CEDRI from the Active Program Service List. CEDRI is the interface on the CDX that allows you to submit to us your required electronic reports under 40 CFR part 60. Detailed instructions for registering and

accessing CDX and CEDRI are outlined in the user's guide available on the CEDRI Web site.<sup>5</sup>

Once you have selected CEDRI from the Active Program Service List, you must then select a registration role. You may register as a "preparer," a "delegated certifier," or a "certifier." The preparer compiles the data and assembles the submission packages. The preparer can upload files and complete electronic forms. However, the preparer may not submit or sign packages, unless the preparer is also a registered certifier for the facility. As part of the registration process, a preparer is required to identify the certifier(s) for whom he is preparing reports. A certifier can also assemble submission packages and can modify submission packages that a preparer has assembled. The certifier is responsible for submitting and signing packages using an electronic signature. The certifier is generally referred to as the "owner or operator" or "responsible official" of the facility. A delegated certifier is a person granted signatory authority by a registered certifier. A delegated certifier can perform all of the same functions that a certifier performs.

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<sup>5</sup> U.S. Environmental Protection Agency. CDX Registration and Compliance and Emissions Data Reporting Interface (CEDRI) User Guide. Version 10.1. September 23, 2016. Available at: <https://www3.epa.gov/ttn/chief/cedri/UserGuide.pdf>.



We designed this process to be compliant with the Cross-Media Electronic Reporting Rule (CROMERR). The CROMERR (under 40 CFR part 3) provides the legal framework for electronic reporting under all of the EPA's environmental regulations and includes criteria for assuring that the electronic signature is legally associated with an electronic document for the purpose of expressing the same meaning and intention as would a handwritten signature if affixed to an equivalent paper document. In other words, documents submitted using your electronic signature are equally enforceable as documents submitted using your handwritten (or "wet") signature. For more information on CROMERR, see the Web site:

<http://www.epa.gov/cromerr/>. Users should be aware that certifiers and delegated certifiers must go through a one-time identity-proofing process when registering. This process (by which registrants prove their true identity) can be done in real time or can take up to 2 weeks, depending on the method of identity proofing used. Additionally, certifiers who are not principals at the company will need proof of signing authority. As with identity-proofing, CDX provides a fast, online process and a slower, paper-based option to demonstrate signing authority. Affected facilities may want to consider registering alternate certifiers or delegated certifiers to reduce the

chance that unavailability of the primary certifier prevents submission of an electronic report.

### 3. Submitting Reports

Once you are in CEDRI, you may choose to upload an ERT file or create a report submission for a summary report form, excess emission report, or other subpart-specific report. If you are uploading an ERT file, you must choose the subpart for which the test was performed and then choose the performance test report or performance evaluation report option. You will then be prompted to upload your file. If you are a certifier, you will then be prompted to sign and submit the report. If you are a preparer, you can submit a notice to the registered certifier that the report is ready to be submitted.

If you are creating a summary report form, excess emission report, or subpart-specific report in CEDRI, you must choose your subpart and the report that you want to create. Then CEDRI will create a blank form for your report and prompt you to begin the reporting process. If you have previously created a report in CEDRI for the report that you want to create (e.g., for your facility, you are creating an annual report for subpart 0000 in CEDRI for the second year in a row), you will have the option to use the previous report as a starting point for your new report. Additionally, on the CEDRI Web site, we have provided MS Excel®

templates for certain portions of reporting forms. The templates allow you to fill in data ahead of time (e.g., to track excess emission events as they occur), and then upload the information into the CEDRI form once the form is created. CEDRI forms also include additional fields and an upload area for portable document format (pdf) files which can be used to provide explanatory information or to address air agency reporting requirements that may be required in addition to the federal requirements.

When the certifier determines that the report is ready for submission, the certifier will certify the submission with a CROMERR electronic signature and submit the report through CEDRI. Facilities can submit reports for multiple NSPS or multiple reports for the same NSPS at the same time. Following submission, the certified signature file will be stored with each report contained in the submission package as the CROMERR Copy of Record in CDX.

The XML schemas for CEDRI reporting forms are located on the CEDRI Web site. These schemas can be used by third-parties to develop alternative software options for these reports. Third-party software must contain all of the same data elements required by the report forms in CEDRI. We are not approving third-party software or maintaining a list of available third-

party software. Third-party software will be validated through CEDRI submittal; only software that meets the requirements of the XML schemas located on the CEDRI Web site will be accepted by CEDRI. If you choose to use third-party software, it is your responsibility to ensure that the third-party software is acceptable. Use of a third-party software that does not meet the requirements of our XML schemas does not relieve you of your responsibility to electronically submit the report by the submittal deadline.

Third-party software could be software developed by a third-party for the sole purpose of report submittals. It could also be a delegated air agency's electronic reporting system. We are aware that some air agencies have already developed electronic reporting systems. If the air agency's reporting system can be developed or amended such that it can upload all required data elements to the EPA's CEDRI, the delegated air agency's reporting system could serve as third-party software. In this case, you would submit your report to the delegated air agency through the delegated air agency's software, and the air agency's system would allow you to also submit the report to the EPA's CEDRI through the air agency's system.

For certain reports, such as annual reports required under 40 CFR 60.4214(d)(3) and 40 CFR 60.4245(e)(3) for engines, CEDRI

provides a bulk upload option. Bulk uploads allow the same report type to be submitted for multiple facilities in one batch report. To use this option, the preparer downloads the spreadsheet template from the CEDRI Web site, and once the data are completely filled in, the preparer or certifier logs into CEDRI and uploads the report. The certifier would then sign and submit the report.

CEDRI has the ability to import available facility identification information automatically so that you will not be required to input this duplicate information on every form. In most cases, the facility identification information is already part of the EPA Facility Registry Service (FRS) and will be obtained from FRS through a Web service using the FRS ID. The FRS is a centrally managed EPA database that identifies facilities, sites, or places subject to environmental regulations or of environmental interest. Should you not have an FRS number for your source, you would be able to obtain an FRS number when signing on to CEDRI. Should your source have an FRS number and you find that some of the FRS-generated information is incorrect, you would be able to correct the errors in CEDRI.

#### 4. Accessibility by Air Agencies and the Public

Air agency staff will have access to data immediately upon submittal if they are registered in CEDRI. Following a

processing period in CEDRI, each report will be sent to the EPA's WebFIRE database (<https://cfpub.epa.gov/webfire/>), where it is publicly accessible. The processing period is 30 days for summary report forms, excess emission reports and subpart-specific reports similar to these reports and 60 days for performance test reports and performance evaluation reports. During this processing period, you may submit a corrected report to CEDRI based on the air agency's review or based on your determination that a correction is required. If changes are made to the submission package prior to the end of the processing period, the processing period will start over to allow air agency reviewers time to review the new submission package. While only the corrected package will be available in WebFIRE, all versions of submitted reports will remain as part of the official record and be available to us and air agency reviewers through CEDRI. You may still submit corrections to reports after the processing period is over, but the original report will be available in WebFIRE until the end of the processing period for the corrected report, at which time the corrected report will replace the original report in WebFIRE.

#### D. Recordkeeping

We are finalizing the amendment to allow reports that are submitted electronically to the EPA's CEDRI to be stored by the

facility in electronic form. Records, data, and reports submitted to the EPA's CEDRI are stored electronically in two places, CDX and WebFIRE. Both WebFIRE and CDX back up their files on a daily basis. The EPA's National Computer Center, where the WebFIRE files are stored, maintains a dual back-up file (one kept on site and the other stored off site). The CDX also employs a dual back-up system to avoid problems in the event of a catastrophe at the location of the servers storing the files. Thus, we have established redundancy in the electronic reporting and storage system to ensure submitted records, data, and reports are retained and available. Because those records, data, and reports required to be submitted to us electronically are stored safely and available to all stakeholders at all times, industry should be allowed to maintain electronic copies of these records, data, and reports in lieu of hardcopies to satisfy federal recordkeeping requirements. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to an air agency or the EPA as part of an on-site compliance evaluation. We have updated the regulatory text for electronic recordkeeping to remind you of this duty.

#### **IV. Summary of Significant Changes Since Proposal**

This document is a prepublication version, signed by EPA Administrator, Gina McCarthy on 12/21/2016. We have taken steps to ensure the accuracy of this version, but it is not the official version.

This section identifies significant changes we have made since proposal of these amendments. These changes reflect our consideration of the comments submitted on the proposal while preserving the aims underlying the proposal. More specific information regarding comments and our responses appear in section V of this preamble and in materials available in the docket for this rulemaking.

#### A. Initial Compliance Date

We proposed to make these amendments effective 90 days after the date of publication of this action. Based on comments received, we are making these amendments effective upon publication of this action, but we are not making the compliance date equivalent to the effective date. We believe this shorter timeframe for the effective date is appropriate because the EPA is issuing this final rule under section 307(d) of the CAA. Section 553(d) of the Administrative Procedure Act (APA), 5 U.S.C. Chapter 5, generally provides that rules may not take effect earlier than 30 days after they are published in the Federal Register. CAA section 307(d)(1) clarifies that: "The provisions of section 553 through 557 \* \* \* of Title 5 shall not, except as expressly provided in this section, apply to actions to which this subsection applies." Thus, section 553(d) of the APA does not apply to this rule. Rather the effective



date of this rule is governed by CAA Section 111(b)(1)(B), which provides that “[s]tandards of performance or revisions thereof shall become effective upon promulgation.” Accordingly, we are making this rule effective upon publication in the Federal Register. Additionally, making this rule effective upon publication in the Federal Register will allow the CFR to be updated more quickly, which will provide greater notice of these amendments to those entities that are affected by this final action.

The initial compliance date for submitting performance test reports and performance evaluation reports electronically to us is 90 days after the date of publication of these amendments (**[insert date 90 days after date of publication in the Federal Register]**). The compliance date for submitting summary report forms, excess emission reports, and subpart-specific reports similar to these reports is 2 years after the date of publication of these amendments (**[insert date 2 years after date of publication in the Federal Register]**).

Extending the compliance date for excess emission reports, summary reports, and subpart-specific reports affords you more time to reprogram systems that collect data for periodic reports and to become familiar with the new reporting forms. This time extension will also allow air agencies more time to implement

electronic reporting and to begin making any needed permit revisions to accommodate electronic reporting. In addition, it will provide sufficient time for you and us to conduct beta testing of CEDRI forms in advance of initial reporting. This should instill confidence that any technical issues with the forms will be resolved prior to requiring the use of the forms for compliance purposes, such that use of the forms will not interfere with your ability to comply with the requirements of this final action. See section V.A of this preamble for more information on this topic.

Additionally, we proposed that if a form was unavailable in CEDRI at the time that a report was due, you would be required to start reporting electronically 90 days after a form became available in CEDRI. We have revised the final action such that you are not required to begin reporting electronically until the form has been available in CEDRI for 1 year. Initial electronic reporting for excess emission reports, summary reports, and subpart-specific reports would begin with the next subsequent report starting on [**insert date 2 years after date of publication in the Federal Register**] or once the reporting form has been available in CEDRI for 1 year, whichever is later. We will post the date of availability of each form on the CEDRI Web site and send out a CHIEF Listserv notice when each form is

available. This extended time period is necessary to allow you to become familiar with the new form and update data systems that collect the reported information and to allow for development of third-party software.

B. Compliance Extension for CDX/CEDRI Outages and Force Majeure Events

In the final amendments, we have identified two broad circumstances in which reporting extensions may be provided. In both circumstances, the decision to accept your claim of needing additional time to report is within the discretion of the Administrator, and reporting should occur as soon as possible.

In 40 CFR 60.19(g), we address the situation where an extension may be warranted due to outages of the EPA's CDX or CEDRI which preclude you from accessing the system and submitting required reports. If either the CDX or CEDRI is unavailable at any time beginning 5 business days prior to the date that the submission is due, and the unavailability prevents you from submitting a report by the required date, you may assert a claim of EPA system outage. We consider 5 business days prior to the reporting deadline to be an appropriate timeframe because if the system is down prior to this time, you still have 1 week to complete reporting once the system is back online. However, if the CDX or CEDRI is down during the week a report is

due, we realize that this could greatly impact your ability to submit a required report on time. We will notify you about known outages as far in advance as possible by CHIEF Listserv notice, posting on the CEDRI Web site and posting on the CDX Web site so that you can plan accordingly and still meet your reporting deadline. However, if a planned or unplanned outage occurs and you believe that it will affect or it has affected your ability to comply with an electronic reporting requirement, we have provided a process to assert such a claim.

In 40 CFR 60.19(h), we address the situation where an extension may be warranted due to a force majeure event, which is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically as required by this rule. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazards beyond the control of the facility. If such an event occurs (or is still occurring) in the 5 business days prior to a submission deadline, we have provided a process to assert a claim of force majeure.

We are providing these potential extensions to protect you from noncompliance in cases where you cannot successfully submit

a report by the reporting deadline for reasons outside of your control as described above. We are not providing an extension for other instances. You should register for CEDRI far in advance of the initial compliance date, in order to make sure that you can complete the identity proofing process prior to the initial compliance date. Additionally, we recommend you start developing reports early, in case any questions arise during the reporting process.

### C. CBI

At proposal, we included language on how you should handle CBI when reporting performance test and performance evaluation data. We are aware that there are times that you may choose to claim certain data, such as proprietary process information, as CBI in a performance test report. In this final action, we have revised 40 CFR 60.19 to provide an avenue for CBI for any report required to be submitted to CEDRI. If you claim that some of the information being submitted via CEDRI is CBI, you must submit a complete report generated using the appropriate form in CEDRI or an alternate electronic file consistent with the XML schema listed on the EPA's CEDRI Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage medium to us. You must submit

the same report through CEDRI omitting information you claim to be CBI.

Although we have added this language to 40 CFR 60.19, the information required in excess emission reports, summary reports, or subpart-specific reports is generally ineligible for consideration as CBI as it pertains to emissions data. Emissions data, as defined in 40 CFR 2.301(a)(2)(i), do not qualify as CBI. Examples of emissions data include, but are not limited to, information necessary to determine the identity, amount, frequency, and concentration of any emission; description of the manner or rate of operation of your source; and description of the device, installation, or operation constituting your source.

#### D. General Provisions Exclusion for Table 1 Subparts

Commenters stated that while our intent in the proposed rule was to exclude the subparts listed in Table 1 of the proposed rule from the electronic reporting requirements, in the absence of specific regulatory text to such effect, the part 60 General Provisions would still require electronic reporting for these NSPS. In the final amendments, we have added regulatory language to subparts Cb, Cc, Ce, D, Da, Db, Dc, AAA, BBBB, FFFF, MMMM, and QQQQ to clarify that the electronic reporting requirements in the part 60 General Provisions do not apply to these NSPS. We did not amend subparts B, C, K, JJJ, TTTT, or

UUUU because these NSPS do not require any of the reports in the part 60 General Provisions which must be submitted to CEDRI. We also did not amend subparts Cf, XXX, CCCC, DDDD, or OOOOa, as these NSPS already require the same reporting as is required by the part 60 General Provisions. Finally, we did not amend subpart Cd because these emission guidelines are unaffected by the changes to the part 60 General Provisions.

E. Performance Tests and Performance Evaluations Using Test Methods and Performance Specifications Not Supported by the ERT

In the proposed rule, we stated that for performance tests which use test methods or performance evaluations for which RATA pollutants are not supported by the ERT, as listed on the ERT Web site at the time of the test, you are required to submit these reports to the Administrator at the address listed in 40 CFR 60.4. We have revised this language to add the phrase "unless the Administrator agrees to or specifies an alternate reporting method." We are adding this language to acknowledge that air agencies may have agreements in place with their regulated entities that allow reporting in different formats, and we did not intend to affect this relationship with these amendments.

F. Affected NSPS and Report Totals

Commenters requested clarification on whether subparts GGG, GGGa, and KKK are affected by this action. The preamble to the proposed rule listed these subparts in Table 1 (40 CFR Part 60 Subpart Unaffected or Excluded by Proposed Amendments). However, these NSPS are required to comply with the requirements of subparts VV or VVa by reference, and both subparts VV and VVa were proposed to be amended to include electronic reporting. Commenters were uncertain whether the references to VV and VVa meant that the reports in subparts GGG, GGGa, and KKK should also be reported electronically. Upon review of the reports required by each NSPS, we determined that subparts GGG, GGGa, and KKK were inadvertently listed as unaffected at the time of proposal. Because these NSPS require the reports we are collecting electronically in subparts VV and VVa, subparts GGG, GGGa, and KKK should have been listed in Table 2 (40 CFR Part 60 Subparts Affected by Proposed Amendments). In this final action, we have updated Table 2 to include subparts GGG, GGGa, and KKK to clarify our intent that the reports required to be electronically reported in subparts VV and VVa also apply to those NSPS that incorporate those requirements by reference.

We also received a number of comments stating that as part of the Economic Impact Analysis (EIA), we had incorrectly counted the number of reports which would be required to be



submitted electronically. Prior to finalizing this action, we revisited our summary of the number of reports required by each NSPS.<sup>6</sup> We reviewed the most recent rule-specific ICRs for each NSPS and updated the number of performance test reports and periodic reports (e.g., summary reports, excess emissions reports) estimated for each NSPS subject to this action. We also included in our analysis the following NSPS that were inadvertently excluded in the count of affected reports at proposal: F, Ga, Y, BBa, KKK, IIII, and OOOO. While these NSPS (with the exception of KKK) already contained some electronic reporting requirements, these NSPS did not contain electronic reporting of all of the reports required by the final amendments. We have updated the EIA to incorporate the revised number of reports. More information on the EIA can be found in section VI of this preamble.

## **V. Summary of Significant Comments and Responses**

This section discusses the significant comments we received on the 2015 proposal and our responses. A Response to Comments document addressing all comments is available in the docket for this rulemaking.

### A. Compliance Date

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<sup>6</sup> The data are found in the following worksheet in the docket - ERRR Part 60 Final Rule EIA ICR Data.xlsx.

Comment: A number of commenters suggested that the time needed for sources to transition to electronic reporting is much longer than the proposed effective date of 90 days. Various commenters recommended that we lengthen the initial compliance date to time periods ranging from 6 months to 2 years. Some commenters stated that the proposed 90-day period was not based on a meaningful analysis of the steps necessary to make a transition from paper to electronic reporting for these rules. Commenters pointed out that the activities needed to comply include the following: (1) Identifying the reporting changes and the requirements for access to our electronic reporting system; (2) obtaining the necessary access by company personnel (preparers and certifiers) who will be involved in the reporting process; (3) gaining familiarity with the complex software programs used to compile and submit data with sufficient confidence that a legally binding document has been accurately prepared and submitted; (4) modifying internal company processes and procedures; (5) working out procedures to ensure that all appropriate checks are conducted in a manner that maintains the requisite level of data accuracy and quality; (6) training staff; (7) developing new written reports for each individual NSPS covering non-CEDRI content; and (8) separating shared reports.

Commenters pointed out that the internal operations and procedures are not the same for every source, and, thus, the amount of time needed for transition to electronic reporting will not be universally the same for every source. Commenters also stated that we should allow additional time for small businesses to discover the rule and to read, understand, and implement the changes needed to begin reporting electronically. Moreover, commenters pointed out that testing contractors will need more than 90 days to implement the new requirements, especially considering that duplication of effort will be prevalent as operators comply with differing air agency and federal requirements. Commenters also stated that more than 90 days is needed for third-party software providers to develop new software for submittal in the XML format or to reprogram existing facility systems to export data automatically into our system.

Some commenters also noted that air agencies will need more time to mobilize the staff and funding to transition to electronic reporting. Some air agencies may need to go through the legislative process to obtain the resources necessary to shift to electronic reporting. Additionally, air agency staff will need training on how to access reports that have been submitted to CEDRI.

Commenters stated that there is no legal reason to require compliance within as little as 90 days, as facilities will continue to submit all the required compliance information in paper reports until electronic reporting begins.

Response: After considering the public comments received, we agree that regulated facilities may need more than 90 days to comply with electronic reporting requirements to submit through CEDRI reporting forms for excess emission reports, summary reports, and subpart-specific reports similar to these reports (e.g., annual reports). We agree with commenters that more time is necessary for regulated facilities to reprogram systems that collect data for periodic reports and for personnel to become familiar with the new reporting forms. We have, therefore, revised the compliance date for submitting these reports electronically to 2 years from the publication date of this action in the **Federal Register**. This extended period will also provide more time to allow us to develop and adequately beta test the new forms and for third-party software providers to develop software from the XML schemas.

We acknowledge in our impact analysis (see section VI of this preamble) that air agencies will need time to revise current processes to accept electronic reports. While we agree that more outreach to air agencies will be beneficial, nearly

400 air agency reviewers have already registered to review reports in CEDRI. Therefore, there are already many reviewers who know how to access reports submitted to CEDRI. In fact, some air agencies have already begun transitioning to electronic reporting and require performance tests to be submitted in the ERT format.

While we do agree that more time is necessary to comply with electronic reporting requirements for excess emission reports, summary reports, and subpart-specific reports, we do not agree that more time is necessary to comply with electronic reporting requirements for performance test reports and performance evaluation reports, which are uploads of ERT files. 90 days should be enough time to determine whether these reports need to be uploaded to CEDRI. We also do not agree that more than 90 days is needed to obtain access to the EPA's CDX. Even certifiers who choose to use the paper Electronic Signature Agreement process for registration (which takes longer than the LexisNexis verification) only need approximately 2 weeks in order to finish the identity proofing process. Preparers do not need to go through an identity proofing process and may register with CDX at any time. Additionally, while the CEDRI forms for periodic reports are new and most have not yet been beta tested, stack testers have been using the ERT for many years, so many

stack testers are already familiar with how to input test data into the ERT. Once a report is created in the ERT, the only additional steps that are necessary are to upload the ERT package and then for the certifier to submit it electronically. This can be performed in one step if the certifier chooses to upload the report. Reports generated by the ERT can also be printed out to be submitted to air agencies, should the air agency require a hardcopy report.

It is still necessary to delay for 90 days the compliance date for electronic submission of performance test and performance evaluation reports, in order to allow regulated facilities to transition to electronic reporting with the next scheduled test, but not require facilities to immediately switch to electronic reporting if they are in the process of performing a test. We do not believe that more than 90 days is not necessary to begin uploading these reports. As such, we are maintaining a compliance date of 90 days for electronic submission of performance test reports and performance evaluation reports.

#### B. Changing the ERT Format

Comment: A number of commenters recommended that we develop an accessible, user-friendly Web-based interface for the ERT in lieu of the current MS Access®-based system or any other

reporting system that uses proprietary software. The commenters stated that the current application of the ERT is not based on the most modern technology for enterprise software of this scope and has numerous shortcomings. The problems cited by the commenters were difficulty of use, complexity of the file structure, slow speed for uploading large files, and the need to enter some data repetitively.

Commenters further stated that MS Access® is a specialized software package for which many businesses have no need and is expensive to the point of possibly not being affordable for some small businesses. Because MS Access® is not widely used, commenters stated that MS Access® is difficult for businesses to learn and for air agencies to use to extract compliance data. Commenters also stated that the MS Access® system files, which can be very large, must be saved and emailed back and forth to air agencies. When the air agencies are juggling hundreds of these projects in email format at any given time, error rates increase and response times decrease.

The commenters stated that if electronic reporting is required, we need to provide a modern and efficient electronic reporting system on a Web-based platform before expanding the electronic reporting requirements to more facilities. Some commenters specified that our providing an XML schema for the

current version of the ERT is not sufficient to overcome the problems with the ERT. Some commenters pointed to the EPA's electronic Greenhouse Gas Reporting Tool (e-GGRT), the electronic reporting tool for the EPA's Greenhouse Gas Reporting Program, and to the EPA's Emissions Collection and Monitoring Plan System (ECMPS), the electronic reporting tool for the EPA Acid Rain Program, as good examples of efficient and effective Web-based reporting platforms.

Response: We agree that a Web-based format would greatly facilitate data entry and extraction from the ERT, as well as facilitate sharing of reports between personnel at the testing firm, between the testing firm and the facility, and between the facility and the air agency. A Web-based format would also allow multiple people to work within a document at the same time and would not require the use of specialized computer software.

Consequently, we are currently developing a user-friendly Web-based interface for the ERT. Besides using a Web interface, the Web-based ERT is being designed with the ability to efficiently import data from large spreadsheets, as well as from XML files. We are also adding functionality that allows the import of laboratory data and continuous emissions monitoring system (CEMS) data. Similar to the MS Access® version of the ERT, the Web application will calculate the results once all of



the data are entered. We will still release the XML schema for the ERT to allow for third-party software development.

Comment: Two commenters recommended that we develop a system that requires data entry by a combination of XML and pdf input. According to the commenters, the XML upload would comprise only those data that are critically important for establishing compliance, for ensuring that tests are properly performed, and for documenting that the quality assurance (QA) procedures are satisfied. The commenters advocated for all other information to be submitted in a pdf format. One commenter provided the following examples of the types of data to submit in pdf files: parameters used to convert measured concentrations to the units of the emission standard, the applicable emission limit, sample time, and/or sample volume to ensure that regulatory requirements are met and to estimate the potential uncertainty and critical QA parameters (e.g., isokinetic rate, filter temperature and leak check results when using EPA Method 5). The commenter stated that this approach would reduce the reporting burden on sources by removing the need to convert or re-enter vast amounts of test data and providing more flexibility for format, particularly for site- or test-specific information. It would streamline the air agency's review by focusing on the data that are needed to establish compliance and

giving them access to reported information in the full context of the test report. Finally, it would reduce burden on us by allowing a generic template to be used for any pollutant and method, rather than maintaining a complex tool intended to address all the existing and future test methods, while still providing sufficient information for developing emission factors.

Response: We disagree with the suggestion that certain categories of test data should be reported via pdf file rather than being entered into the ERT. We note that not all of the fields in the ERT are required fields; the only information that is required to be provided in a test report is the information required by 40 CFR 60.8(f) and any additional information required by an air agency or a specific subpart. The other fields in the ERT are optional and based on best practices for test reports, developed by us over years of experience with test report review.

We disagree that the commenter's proposed approach would reduce burden on regulated facilities. Facilities and contractors can automate the ERT data entry process by using spreadsheet templates. This automation will be further increased as the EPA moves to more spreadsheet upload capabilities with the Web-based ERT. Additionally, electronic reporting would be

less efficient and subject to more transcription errors if it allowed or encouraged facilities to spend time continuing to draft written reports for pdf submittal and then entering summary data into the ERT.

The commenter's proposed approach would also put more burden on the air agency to conduct data verification that the ERT currently performs (e.g., verification of calculations). Many air agencies focus on more than summary data; such agencies are interested in the underlying data and how the conclusions are reached. Additionally, standardization of format reduces the amount of time necessary to review reports. The proposed approach removes some of the standardization, thereby making the review process more difficult for air agencies.

Finally, we do not agree that the commenter's proposed approach would reduce burden on us. While it may appear that a generic template could work over a broad selection of test methods, each test method is different. This is especially true for newer test methods, like EPA Method 30B, where the QA/quality control (QC) is very different from an EPA Method 5 test. These differences would have to be reviewed during the creation of a generic template, and it is unlikely that a template could capture the differences in a meaningful way. It

would also require us to develop a new tool instead of relying on a familiar tool that has already been developed.

C. Reporting Information Not Required by Part 60

Comment: Several commenters stated that a fatal flaw in the proposal is that the particulars of the information content, detail, and format required by the ERT and CEDRI are not set forth in any existing or proposed rule and there is not a fixed, unchanged point of reference of the forms. The commenters asserted that the ERT and CEDRI Web forms are not an appropriate mechanism by which to define the substance of reporting requirements. Commenters stated that the CEDRI templates and the ERT currently expect users to enter data that is not required under the NSPS and that may not be required by the air agency. For example, there is currently no regulation outlining required data elements for performance tests, and there are various elements within the ERT not required under the NSPS. The commenters noted that the question of what information is required has the potential to cause serious confusion for sources, create issues during the submission process, and pose problems for us and air agencies trying to use the data.

To the extent we want to expand on what constitutes performance test or performance evaluation results under 40 CFR 60.8(a) and 60.13(c)(2) or on how to report excess emissions and

information on monitoring system performance in individual NSPS, the commenters noted that we must do so through rulemaking. The commenters stated that regulation by software, subject to never-ending revision by programmers, is not consonant with due process and rulemaking procedural requirements applicable to the NSPS program. Commenters emphasized that stakeholders must have meaningful opportunity to comment. Commenters also stated that we cannot move forward with our proposal based solely on promises to provide detail regarding the substance of the reporting requirements and options for alternative submittal mechanism prior to finalizing the rule. The commenters suggest that we need to develop the XML formats first and define the specific data elements that will be reported electronically within the rule. Having a nebulous reporting requirement, where the "required" information might change without a proper rulemaking exercise, is neither appropriate nor tenable.

Response: We are designing the CEDRI reporting forms to mirror the requirements within each NSPS, and as such, the public already had an opportunity to comment on report content when each NSPS was proposed. While we have added some extra, optional data fields based on requests from different stakeholders, all required fields are clearly marked. Additionally, we plan to annotate the forms with the CFR

citation for each requirement. Finally, since the forms will be thoroughly beta tested prior to implementation, we expect all issues regarding required data fields to be resolved prior to the compliance date for electronic reporting.

On September 8, 2015, we proposed amendments to 40 CFR 60.8(f), which added provisions describing the required content of test reports (see 80 FR 54146). We finalized those amendments on August 30, 2016 (see 81 FR 59800). We note that while the ERT may contain more fields than is required by 40 CFR 60.8(f), for our purposes, only the information required by 40 CFR 60.8(f) and any information specified by a specific subpart is required to be provided in a test report. The ERT is flexible enough to allow additional information required by an air agency, acting under its own authority, to be included. The other fields available for completion in the ERT are optional, but are based on best practices for test reports, developed by us over years of experience with test report review.

#### D. Electronic Reporting for Electric Utility Steam Generating Units (EGUs)

Comment: Two commenters stated we must exempt information that is already reported electronically to the EPA (e.g., using ECMPS). To comply with 40 CFR part 75, all electric utility steam generating units (EGUs) currently report large amounts of

emissions and CMS QA information electronically to the EPA using ECMPS. The commenters noted that several of the subparts subject to this proposal are also applicable to EGUs, specifically 40 CFR part 60, subparts GG and KKKK, and these NSPS allow use of the same part 75 monitoring systems for which EGUs already are reporting this information.

We proposed very limited revisions to 40 CFR part 60, subparts GG and KKKK to implement electronic reporting for these NSPS. Specifically, we proposed to revise 40 CFR 60.334 to replace the requirement that excess emissions be "postmarked" with a requirement that they be "submitted electronically." In subpart KKKK, we proposed a similar revision to 40 CFR 60.4395 addressing reporting under 40 CFR 60.7(c). We also proposed to revise 40 CFR 60.4375(b), addressing submission of performance tests, to replace the requirement to submit a "written" report with a requirement to submit "following the procedure specified in § 60.8(j)." Because we proposed no other changes, the commenters asserted that if we finalize the rule as proposed, then facilities opting to use 40 CFR part 75 CEMS would be required to submit RATA results electronically to us using both ECMPS and to the CDX using the ERT and CEDRI. In the commenters' opinion, we can best address electronic reporting for EGUs under all of the NSPS by exempting those NSPS (or EGUs subject to

those NSPS) from the proposed requirements and addressing the potential consolidation of reporting in a separate rulemaking, just as we have proposed for subparts D and Da. If we do not adopt that approach and choose to impose new electronic reporting to all subparts GG and KKKK affected facilities to the CDX, the commenters recommend that we must, at a minimum, exclude from those requirements reports (e.g., the nitrogen oxides CEMS RATA reports) for which the same or similar information already is being reported to us under ECMPS. Where information, like RATA results, already is "reasonably accessible" to the agency, as it would be if it were reported to ECMPS, the commenters suggest that we cannot justify requiring its submission to another EPA system.

Response: We agree that the same report need not be submitted to two separate electronic reporting systems. We further reviewed the requirements of 40 CFR part 60 subparts GG and KKKK to determine what overlap exists between the NSPS and 40 CFR part 75. The commenters are correct in that the NSPS allows the use of CEMS installed and maintained under part 75 to be used to demonstrate compliance with the NSPS. The RATA results for these CEMS must be submitted to ECMPS. As such, to remove the requirement to report electronically to two systems, we have amended the text in 40 CFR part 60 subparts GG and KKKK



to state that EGUs that are required to report RATA data to ECMPS are not required to report performance evaluation data to CEDRI.

We have not completely removed the electronic reporting requirements for 40 CFR part 60 subparts GG and KKKK. There are many turbines subject to these NSPS that do not report to ECMPS. Additionally, there is no requirement in 40 CFR part 75 to report the results of performance tests. Finally, facilities subject to 40 CFR part 75 must submit quarterly reports containing hourly CEMS data, but these reports are not similar to and do not contain the same data elements as the 40 CFR part 60 summary and excess emission reports. As such, we have retained the requirement to electronically submit these reports to CEDRI.

#### E. Multiple Versions of Reports

Comment: One commenter stated that submitting reports to two different agencies will result in the creation of two different versions of the report (i.e., one version saved in the air agency's system and one version sent to us). The reports would then be reviewed and approved independently with only our version ultimately becoming publicly available. This leads to potential issues with data consistency because changes made to one version will not be reflected in the other. The commenter

also expressed concern about duplication of effort. The simultaneous submittal of electronic reports to both an air agency and us results in both agencies reviewing and approving their respective versions concurrently, but independently.

Response: We note that we are not changing the delegation of authority for air agencies with this action. Air agencies that have been delegated authority for the NSPS will retain the primary review function of the reports submitted electronically through CEDRI. We may also review these reports, just as we could review a copy of written reports that are submitted currently. For sources that are currently required to submit paper reports to both the EPA regional office and an air agency, the opportunity for different report versions to exist could currently be a reality of paper reporting if owners and operators do not update report versions sent to both us and the air agency.

The opportunity for different versions of reports to exist will be reduced because of electronic reporting. We expect the majority of air agencies to use our electronic reporting system, thereby resulting in one report for multiple agencies. Even air agencies that do not use our system may choose to accept printed copies of the reports generated through CEDRI or the ERT. As such, only one report would be created, and should an update be

necessary, that one report would be updated. If the updated version of the report is resubmitted to CEDRI prior to the end of the processing period, the updated version will be sent to WebFIRE, and the original version will not be available in WebFIRE. If revisions are necessary after the processing period is complete, the updated report will replace the original report in WebFIRE once the processing period for the updated report has expired.

While we expect the majority of air agencies to accept electronic reports submitted through CEDRI, there should still be no issue with multiple report versions for facilities located in areas where the air agency does not use our electronic reporting system. If the air agency does not have review comments, the report submitted to the air agency and the report submitted to CEDRI will be the same. Additionally, if facilities must revise their report as a result of an air agency's review, then in order to meet the reporting requirements of the NSPS, facilities must resubmit a corrected report to CEDRI as well as the air agency.

#### F. Beta Testing of Reporting Templates

Comment: A number of commenters requested that we allow the regulated facilities to test forms prior to implementation. The commenters noted that there is always potential for performance

glitches to occur whenever new programs are implemented, especially when the success of a program is tied to and dependent on the public's use of and interaction with a computer-based system. The commenters stated that implementation problems associated with computer-based data reporting and similar systems are commonplace; therefore, the potential for such issues to arise with our shift to an electronic reporting system should not be summarily dismissed or rejected.

The commenters noted that the proposed rule already recognized the potential for reporting problems to exist where the use of third-party software is involved. Experience with electronic systems consistently shows that thorough system testing is warranted for troubleshooting and resolving issues, leading to a better initial implementation experience for report submitters. For example, the recent history of the EPA's e-GGRT and electronic Discharge Monitoring Report development illustrates the many issues associated with electronic reporting and the need for adequate testing prior to full implementation. The program provided system testing and a "sandbox" for users to gain experience and test the system and its compatibility with users' systems. The commenters noted that a similar approach is warranted for the proposed electronic reporting program, especially since some commenters view CEDRI and the CDX

interfaces as far more difficult than e-GGRT, based on current experience.

The commenters asserted that any templates or reporting systems put into place by us would benefit from being fully beta tested by users other than us and our contractors. Efficient implementation of electronic systems requires thorough planning, coordination with affected parties, and reasonable implementation periods that include system testing. Full development of a stable, well-tested platform that is used by us, the air agencies, and the regulated industries is crucial to meeting our goals and minimizing the impacts of this rule on industry. Absent beta-testing, we have the potential to implement a system that would enable mistakes and errors in information to be reported and published without providing the reporting facility owners or operators an opportunity to correct such errors before the report becomes available to the public. The commenters suggest our failure to prevent this from happening could easily expose source owners or operators to civil suits and the burdens and expense of defending against noncompliance that would be alleged solely because of the proposed rule's current potential for inaccurate data to be published.

Response: We agree that the CEDRI reporting forms will benefit from beta testing. We plan to conduct beta testing of CEDRI forms prior to the initial compliance date for each report. We will work with stakeholders to resolve issues identified during the beta testing prior to making each form available for reporting in CEDRI.

## **VI. Impacts of Final Amendments**

We estimate total annualized savings for regulated facilities due to these amendments will be approximately \$1.4 million per year. The estimate reflects a 7-percent discount rate, a 7-percent cost of capital and a 20-year annualization period. While we know there will also be a savings for air agencies based upon the benefits of electronic reporting, we have not quantified these savings.

The total annualized savings estimate reflects different assumptions for year 1, year 2, year 3, year 4, and year 5 through year 20. This is because, in some cases, air agencies have their own rules that require hard copies of reports, and it would take time for those air agencies to transition (if they choose to) to the use of our electronic reporting system for the reports being submitted electronically to the EPA's CEDRI. Thus, we have drawn out the transition from paper to electronic reporting for 4 years for those air agencies that adopt the

EPA's electronic reporting requirements, in order to provide the time it would take to update permit requirements and create or change air agency reporting rules, where necessary. We assume that air agencies may continue to require submission of reports in hardcopy form to satisfy air agency reporting requirements initially because the air agencies would not yet have had time to update reporting requirements. Additionally, there is an initial cost associated with this action because we recognize there is a learning curve associated with the use of our electronic system and data need to be entered initially which will be automatically populated in future reports.

Because we have made the compliance date for submittal of summary reports, excess emission reports, and subpart-specific reports to be 2 years from publication of this final action and the compliance date for submittal of performance test reports and performance evaluation reports to be 90 days from publication of this final action, for year 1 and year 2, we have only assumed costs associated with source performance tests; there are no costs or savings for periodic reports as these reports will continue to be submitted in the manner in which they are currently submitted. We estimate the cost of this action for regulated facilities to be \$5 million for the first year and \$3.3 million for the second year. We assume that

beginning in year 3, the air agencies will have had time to update reporting requirements as necessary so that hardcopy performance test reports will no longer be required to be submitted to the air agencies for those air agencies that opt to review submitted reports through our electronic reporting system. Thus, beginning in year 3 for performance test reports, because only electronic reports will be required by this action, regulated facilities will be familiar with the system and initial data will already be populated in the system, we estimate that there will be a cost savings of approximately \$2.5 million for every year. While we could have assumed that air agencies have fully transitioned to electronic reporting by the time periodic reports are required to be submitted electronically (year 3), to be conservative, we assumed the same 2-year lag time for air agencies to implement electronic reporting for periodic reports. Thus, in year 3 and year 4, while there is a savings associated with the electronic submittal of performance test reports, there is a cost associated with the submittal of periodic reports. We estimate the cost of this action for regulated facilities to be \$4 million for the third year and \$3 million for the fourth year. Starting in year 5, the transition for all reports will be complete, and we estimate that there will be a cost savings of



approximately \$3.9 million for every year from year 5 through year 20.

For facilities where the air agency chooses not to view reports through our electronic reporting system, the system allows them to print completed reports, which can then be mailed to the air agency, if the air agency will accept the printed report in lieu of any otherwise required paper report. While there will be some extra burden associated with printing and mailing the report, we assume that the burden will be equal to or less than the current burden associated with submitting hardcopy reports and, therefore, equal to or less than the savings associated with entering the data electronically. We did not quantify these savings in our analysis.

To estimate costs and savings associated with electronic submittal of these reports, we compiled data on the total number of source performance tests and periodic reports required annually by 40 CFR part 60 and its respective subparts.<sup>7</sup> Because most NSPS do not require more than one source performance test per year, to calculate the annualized costs, we assessed the number of facilities and the number of performance tests that were included under ICRs (managed by the Office of Information

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<sup>7</sup> The data are found in the following worksheet in the docket - ERRR Part 60 Final Rule EIA ICR Data.xlsx.

and Regulatory Affairs (OIRA), Office of Management and Budget (OMB)). The total number of source performance test reports submitted annually is estimated to be 8,741. The estimated number of periodic reports that are required by this action to be submitted electronically each year is 19,502. These estimates only include reports where the requirement to submit the reports electronically does not already exist (i.e., NSPS where we merely updated old electronic reporting language to reflect current electronic reporting language are not included in this count).

For performance tests, in year 3 through year 20, and for periodic reports, in year 5 through year 20, we assume that written reports are no longer required by 75-percent of the air agencies and that there are labor savings associated with only requiring electronic report submittal. Due to the ability of the electronic reporting system to access existing information in previously submitted reports, we assume that there is a 50-percent labor savings associated with electronically submitting source performance test reports and a 25-percent labor savings associated with electronically submitting periodic reports.<sup>8</sup> We

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<sup>8</sup> The 50-percent labor savings assumes your existing source performance test file can be reused and already contains about 50 percent of required data. The 25-percent labor savings assumes about 25 percent of the required data appears in existing databases and will not need to be submitted a second time.

aggregated the labor costs and savings and annualized the totals over a 20-year period using a 7-percent discount rate; we estimated total annualized savings for this action to be \$1.4 million per year for regulated facilities. We used labor rates from the Bureau of Labor Statistics and selected a rate for the Management, Professional, and Related Occupations category; we adjusted the rate upward by 67 percent to reflect overhead.<sup>9</sup>

For each of the five time periods (i.e., year 1, year 2, year 3, year 4, and year 5 through year 20), Table 4 (in section VII of this preamble) provides a summary of the number of each type of report submitted and the total labor time and costs/savings that would accrue. For additional details on the calculations, please refer to "Electronic Reporting and Recordkeeping Requirements for NSPS Estimate 09\_19\_2016 includes Part 60.pdf" located in the docket for this rulemaking.

**VII. Tables**

**Table 1. 40 CFR Part 60 Subparts Unaffected or Excluded by Final Amendments**

Name	Subpart	Rationale
Adoption and Submittal of State Plans for Designated Facilities	B	Requires that states adopt and submit a state plan to us to implement emission

<sup>9</sup> The labor rates used in the analysis can be found at <http://www.bls.gov/news.release/pdf/ecec.pdf>, Table 9, Management, Professional, and Related Occupations. The overhead rate used in the analysis was selected from a range presented in the Air Pollution Control Cost Manual, Section 1, Chapter 2, available at: <https://www3.epa.gov/ttn/ecas/docs/cs1ch2.pdf>.

Name	Subpart	Rationale
		guidelines developed under the CAA. Subpart B does not contain emission standards or recordkeeping and reporting requirements. Therefore, subpart B is not amended or affected by this action.
Emission Guidelines and Compliance Times	C	Emission guidelines apply to air agencies. Because it would be overly burdensome to require air agencies to revise and resubmit implementation plans solely to address electronic reporting, we are not revising the emission guidelines to require electronic reporting to us at this time. Reports and data will be reviewed to address electronic reporting under the emission guidelines in separate and independent rulemakings.
Emission Guidelines and Compliance Times for Large Municipal Waste Combustors that are Constructed On or Before September 20, 1994	Cb	Emission guidelines apply to air agencies. Because it would be overly burdensome to require air agencies to revise and resubmit implementation plans solely to address electronic reporting, we are not revising the emission guidelines to require electronic reporting to us at this time. Reports and data will be reviewed to address electronic reporting under the

Name	Subpart	Rationale
		emission guidelines in separate and independent rulemakings.
Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills	Cc	Emission guidelines apply to air agencies. Because it would be overly burdensome to require air agencies to revise and resubmit implementation plans solely to address electronic reporting, we are not revising the emission guidelines to require electronic reporting to us at this time. Reports and data will be reviewed to address electronic reporting under the emission guidelines in separate and independent rulemakings.
Emissions Guidelines and Compliance Times for Sulfuric Acid Production Units	Cd	Emission guidelines apply to air agencies. Because it would be overly burdensome to require air agencies to revise and resubmit implementation plans solely to address electronic reporting, we are not revising the emission guidelines to require electronic reporting to us at this time. Reports and data will be reviewed to address electronic reporting under the emission guidelines in separate and independent rulemakings.
Emission Guidelines and Compliance Times for	Ce	Emission guidelines apply to air agencies. Because it would be overly

Name	Subpart	Rationale
Hospital/Medical/Infectious Waste Incinerators		burdensome to require air agencies to revise and resubmit implementation plans solely to address electronic reporting, we are not revising the emission guidelines to require electronic reporting to us at this time. Reports and data will be reviewed to address electronic reporting under the emission guidelines in separate and independent rulemakings.
Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills	Cf	Subpart did not exist at the time of proposal, and electronic reporting was previously addressed under a separate and independent rulemaking.
Standards of Performance for Fossil-Fuel-Fired Steam Generators	D	Reports and data will be reviewed to address electronic reporting under a separate and independent rulemaking.
Standards of Performance for Electric Utility Steam Generating Units	Da	Reports and data will be reviewed to address electronic reporting under a separate and independent rulemaking.
Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units	Db	Reports and data will be reviewed to address electronic reporting under a separate and independent rulemaking.
Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	Dc	Reports and data will be reviewed to address electronic reporting under a separate and independent rulemaking.
Standards of Performance for Storage Vessels for	K	None of the reports required under subpart K

Name	Subpart	Rationale
Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978		contain air emissions data that we are requesting be submitted electronically under this action.
Standards of Performance for New Residential Wood Heaters	AAA	Reports and data will be reviewed to address electronic reporting under a separate and independent rulemaking.
Standards of Performance for Petroleum Dry Cleaners	JJJ	None of the reports required under subpart JJJ contain air emissions data that we are requesting be submitted electronically under this action.
Standards of Performance for Municipal Solid Waste Landfills That Commenced Constructions, Reconstruction, or Modification After July 17, 2014	XXX	Subpart did not exist at the time of proposal, and electronic reporting was previously addressed under a separate and independent rulemaking.
Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed On or Before August 30, 1999	BBBB	Emission guidelines apply to air agencies. Because it would be overly burdensome to require air agencies to revise and resubmit implementation plans solely to address electronic reporting, we are not revising the emission guidelines to require electronic reporting to us at this time. Reports and data will be reviewed to address electronic reporting under the emission guidelines in separate and independent rulemakings.

Name	Subpart	Rationale
Standards of Performance for Commercial and Industrial Solid Waste Incineration Units	CCCC	Electronic reporting was previously addressed under a separate and independent rulemaking.
Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units	DDDD	Electronic reporting was previously addressed under a separate and independent rulemaking.
Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units that Commenced Construction On or Before December 9, 2004	FFFF	Emission guidelines apply to air agencies. Because it would be overly burdensome to require air agencies to revise and resubmit implementation plans solely to address electronic reporting, we are not revising the emission guidelines to require electronic reporting to us at this time. Reports and data will be reviewed to address electronic reporting under the emission guidelines in separate and independent rulemakings.
Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units	MMMM	Emission guidelines apply to air agencies. Because it would be overly burdensome to require air agencies to revise and resubmit implementation plans solely to address electronic reporting, we are not revising the emission guidelines to require electronic reporting to us at this time. Reports and data will be reviewed to address electronic reporting under the



Name	Subpart	Rationale
		emission guidelines in separate and independent rulemakings.
Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015	0000a	Electronic reporting was previously addressed under a separate and independent rulemaking.
Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces	QQQQ	An effective rule for this subpart did not exist at the time of proposal.
Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units	TTTT	Subpart did not exist at the time of proposal, and none of the reports required under subpart TTTT contain air emissions data that we are requesting be submitted electronically under this action.
Emission Guidelines for Greenhouse Gas Emissions and Compliance Times for Electric Utility Generating Units	UUUU	Subpart did not exist at the time of proposal, and none of the reports required under subpart UUUU contain air emissions data that we are requesting be submitted electronically under this action.

**Table 2. 40 CFR Part 60 Subparts Affected by Final Amendments**

Name	Subpart
General Provisions	A
Standards of Performance for Incinerators	E
Standards of Performance for Municipal Waste Combustors for which Construction is Commenced After December 20, 1989 and On or Before September 20, 1994	Ea
Standards of Performance for Large Municipal Waste Combustors for which Construction is Commenced After	Eb

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Name	Subpart
September 20, 1994 or for which Modification or Reconstruction is Commenced After June 19, 1996	
Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators	Ec
Standards of Performance for Portland Cement Plants	F
Standards of Performance for Nitric Acid Plants	G
Standards of Performance for Nitric Acid Plants for which Construction, Reconstruction, or Modification Commenced After October 14, 2011	Ga
Standards of Performance for Sulfuric Acid Plants	H
Standards of Performance for Hot Mix Asphalt Facilities	I
Standards of Performance for Petroleum Refineries	J
Standards of Performance for Petroleum Refineries for which Construction, Reconstruction, or Modification commenced After May 14, 2007	Ja
Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	Ka
Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984	Kb
Standards of Performance for Secondary Lead Smelters	L
Standards of Performance for Secondary Brass and Bronze Production Plants	M
Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for which Construction is Commenced After June 11, 1973	N
Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for which Construction is Commenced After January 20, 1983	Na
Standards of Performance for Sewage Treatment Plants	O
Standards of Performance for Primary Copper Smelters	P
Standards of Performance for Primary Zinc Smelters	Q
Standards of Performance for Primary Lead Smelters	R
Standards of Performance for Primary Aluminum Reduction Plants	S
Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants	T

Name	Subpart
Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants	U
Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants	V
Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants	W
Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X
Standards of Performance for Coal Preparation and Processing Plants	Y
Standards of Performance for Ferroalloy Production Facilities	Z
Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and On or Before August 17, 1983	AA
Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983	AAa
Standards of Performance for Pulp Mills	BB
Standards of Performance for Kraft Pulp Mill Affected Sources for which Construction, Reconstruction, or Modification Commenced After May 23, 2013	BBa
Standards of Performance for Glass Manufacturing Plants	CC
Standards of Performance for Grain Elevators	DD
Standards of Performance for Surface Coating of Metal Furniture	EE
Standards of Performance for Stationary Gas Turbines	GG
Standards of Performance for Lime Manufacturing Plants	HH
Standards of Performance for Lead-Acid Battery Manufacturing Plants	KK
Standards of Performance for Metallic Mineral Processing Plants	LL
Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations	MM
Standards of Performance for Phosphate Rock Plants	NN
Standards of Performance for Ammonium Sulfate Manufacture	PP
Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing	QQ
Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations	RR

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Name	Subpart
Standards of Performance for Industrial Surface Coating: Large Appliances	SS
Standards of Performance for Metal Coil Surface Coating	TT
Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture	UU
Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981 and On or Before November 7, 2006	VV
Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After November 7, 2006	VVa
Standards of Performance for the Beverage Can Surface Coating Industry	WW
Standards of Performance for Bulk Gasoline Terminals	XX
Standards of Performance for the Rubber Tire Manufacturing Industry	BBB
Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry	DDD
Standards of Performance for Flexible Vinyl and Urethane Coating and Printing	FFF
Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and On or Before November 7, 2006	GGG
Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006	GGGa
Standards of Performance for Synthetic Fiber Production Facilities	HHH
Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	III
Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011	KKK

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Name	Subpart
Standards of Performance for SO <sub>2</sub> Emissions from Onshore Natural Gas Processing for which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and On or Before August 23, 2011	LLL
Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	NNN
Standards of Performance for Nonmetallic Mineral Processing Plants	OOO
Standards of Performance for Wool Fiberglass Insulation Manufacturing Plants	PPP
Standards of Performance for VOC Emissions from Petroleum Refinery Wastewater Systems	QQQ
Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	RRR
Standards of Performance for Magnetic Tape Coating Facilities	SSS
Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	TTT
Standards of Performance for Calciners and Dryers in Mineral Industries	UUU
Standards of Performance for Polymeric Coating of Supporting Substrates Facilities	VVV
Standards of Performance for Municipal Solid Waste Landfills	WWW
Standards of Performance for Small Municipal Waste Combustion Units for which Construction is Commenced After August 30, 1999 or for which Modification or Reconstruction is Commenced After June 6, 2001	AAAA
Standards of Performance for Other Solid Waste Incineration Units for which Construction is Commenced After December 9, 2004 or for which Modification or Reconstruction is Commenced After June 16, 2006	EEEE
Standards of Performance for Stationary Compression Ignition Internal Combustion Engines	IIII
Standards of Performance for Stationary Spark Ignition Internal Combustion Engines	JJJJ
Standards of Performance for Stationary Combustion Turbines	KKKK
Standards of Performance for New Sewage Sludge Incineration Units	LLLL

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Name	Subpart
Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced after August 23, 2011, and on or before September 18, 2015	0000

**Table 3. Test Methods Currently Supported in the ERT**

U.S. EPA Methods 1 through 4
U.S. EPA Method 3A
U.S. EPA Method 5
U.S. EPA Method 5A
U.S. EPA Method 5B
U.S. EPA Method 5F
U.S. EPA Method 5G
U.S. EPA Method 6C
U.S. EPA Method 7E
U.S. EPA Method 8
U.S. EPA Method 10
U.S. EPA Method 12
U.S. EPA Method 13A
U.S. EPA Method 13B
U.S. EPA Method 17
U.S. EPA Method 23
U.S. EPA Method 25A
U.S. EPA Method 25B
U.S. EPA Method 26
U.S. EPA Method 26A
U.S. EPA Method 26A modified for part 63, subpart S
U.S. EPA Method 29
U.S. EPA Method 30B
U.S. EPA Method 101
U.S. EPA Method 101A
U.S. EPA Method 102
U.S. EPA Method 103
U.S. EPA Method 104
U.S. EPA Method 108
U.S. EPA Method 201A
U.S. EPA Method 202
U.S. EPA Method 306
U.S. EPA Method 306A
U.S. EPA Method 315

U.S. EPA Method 316
SW-846 Method 0010
SW-846 Method 0011
SW-846 Method 0023A
SW-846 Method 0061
Conditional Test Method 27
Other Test Method 29
California Air Resources Board Method 428
California Air Resources Board Method 429
Performance Specification 2
Performance Specification 3
Performance Specification 4
Performance Specification 8

**Table 4. Summary of Cost Savings<sup>a</sup>**

<b>Year</b>	<b>Report</b>	<b>Number of Submittals</b>	<b>Labor Rate</b>	<b>Hours/Test Submittal</b>	<b>Total Labor Costs</b>
1	Source Performance Test	8,741	\$94.57	6	\$5,000,000
1	Periodic Reports	0	\$94.57	0	\$0
<b>Year</b>	<b>Report</b>	<b>Number of Submittals</b>	<b>Labor Rate</b>	<b>Hours/Test Submittal</b>	<b>Total Labor Costs</b>
2	Source Performance Test	8,741	\$94.57	4	\$3,300,000
2	Periodic Reports	0	\$94.57	0	\$0
<b>Year</b>	<b>Report</b>	<b>Number of Submittals</b>	<b>Labor Rate</b>	<b>Hours/Test Submittal</b>	<b>Total Labor Costs</b>
3	Source Performance Test	6,594	\$94.57	(4)	(\$2,500,000)
3	Periodic Reports	19,502	\$94.57	3.5	\$6,500,000
<b>Year</b>	<b>Report</b>	<b>Number of Submittals</b>	<b>Labor Rate</b>	<b>Hours/Test Submittal</b>	<b>Total Labor Costs</b>
4	Source Performance Test	6,594	\$94.57	(4)	(\$2,500,000)
4	Periodic Reports	19,502	\$94.57	3	\$5,500,000

Year	Report	Number of Submittals	Labor Rate	Hours/Test Submittal	Total Labor Costs
5-20	Source Performance Test	6,594	\$94.57	(4)	(\$2,500,000)
5-20	Periodic Reports	14,712	\$94.57	(1)	(\$1,400,000)

<sup>a</sup> Memo from Robin Langdon, AEG, to Gerri Garwood, MPG. Economic Impact Analysis for Electronic Reporting and Recordkeeping Requirements for New Source Performance Standards Final Rule. November 3, 2016.

### VIII. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at <https://www.epa.gov/laws-regulations/laws-and-executive-orders>.

#### A. Executive Orders 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review

This action is not a significant regulatory action and was, therefore, not submitted to the OMB for review.

#### B. Paperwork Reduction Act (PRA)

This action does not impose any new information collection burden under the PRA. OMB has previously approved the information collection activities contained in the existing regulations.<sup>10</sup> This action does not involve the collection of any

<sup>10</sup> The OMB control numbers for the individual NSPS affected by this final action can be found in the following worksheet in the docket - ERRR Part 60 Final Rule EIA ICR Data.xlsx.



new information. Specifically, the purpose of this rule is to require that targeted reports currently required to be submitted in hardcopy form to both the EPA and the delegated authority be submitted electronically to the EPA. While some delegation agreements have excepted hardcopy reporting to the EPA and this rule will not allow such exceptions for electronic reporting, the reports that would be submitted electronically in response to these amendments contain the same data elements currently required by the affected NSPS to be submitted in hardcopy form to the air agencies. More importantly, these amendments would neither require additional reports nor require that additional content be added to already required reports. Therefore, this action would not impose any new information collection burden. Further, electronic reporting reduces costs associated with information collection and, thus, compliance costs in the long-term.

#### C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. In making this determination, the impact of concern is any significant adverse economic impact on small entities. An agency may certify that a rule will not have a significant economic impact on a substantial number of small entities if the

rule relieves regulatory burden, has no net burden, or otherwise has a positive economic effect on the small entities subject to the rule. As described in section VI of this preamble, implementation of this rule would result in savings of \$1.4 million per year due to reduced reporting burden. We have, therefore, concluded that this action will relieve regulatory burden for all directly regulated small entities.

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of \$100 million or more as described in UMRA, 2 U.S.C. 1531-1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local, or tribal governments.

Air agencies will not be required to change the way that they interact with their facilities, unless they choose to do so. The only action that may be required on the part of air agencies is to update permit terms as needed under 40 CFR parts 70 and 71 to reflect the electronic reporting provisions. We expect this to be a minimal burden, as most of these updates can be done during the permit renewal process.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the

relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

Although section 6 of Executive Order 13132 does not apply to this action, the EPA did consult with officials representing air agencies in developing this action. Additionally, we initiated a multi-disciplinary, cross-functional integrated project team during the development of the CEDRI that included EPA personnel from various offices and representatives from air agencies. The objectives of the CEDRI integrated project team were to gain insight and ideas regarding the data flow process within the CEDRI.

This action would not affect an air agency's delegated authority or ability to implement and enforce the subject federal air regulations, and air agencies would continue to receive reports directly from affected facilities in whatever format they require. The major difference is that air agencies would also have access to reports submitted to the EPA electronically through the EPA's CDX and WebFIRE, and air agencies would have the option of not receiving these reports directly from affected facilities.

F. Executive Order 13175: Consultation and Coordination with Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. It would not have substantial direct effects on tribal governments, on the relationship between the federal government and Indian tribes, or on the distribution of power and responsibilities between the federal government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this action.

Nonetheless, to promote meaningful involvement, the EPA held a conference call with representatives from tribes on November 29, 2012, to discuss details of the proposed amendments. No tribal input was received through public comment on the proposed amendments.

G. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of "covered regulatory action" in section 2-202 of the Executive Order. This action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk.

H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211 because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations, and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994) because it does not establish an environmental health or safety standard. Specifically, requiring the electronic submission of reports that are currently required to be submitted in hardcopy format does not affect the level of protection provided to human health or the environment. On the contrary, we expect electronic reporting to increase complete, accurate, and timely submittal of data which will, in turn, improve the protection of public

health and the environment, providing a beneficial impact to all populations.

K. Congressional Review Act (CRA)

This action is subject to the CRA, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

**Electronic Reporting and Recordkeeping Requirements  
for New Source Performance Standards**

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**List of Subjects in 40 CFR Part 60**

Environmental protection, Air pollution control, Code of Federal Regulations, Confidential business information, Electronic reporting, Hazardous substances, Internet, Reporting and recordkeeping requirements.

Dated: \_\_\_\_\_ .

\_\_\_\_\_  
Gina McCarthy,  
Administrator.

For the reasons stated in the preamble, the EPA amends title 40, chapter I, of the Code of Federal Regulations as follows:

**PART 60 - STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES**

1. The authority citation for part 60 continues to read as follows:

**Authority:** 42 U.S.C. 7401, et seq.

**Subpart A - General Provisions**

2. Section 60.4 is amended by revising paragraph (a) and paragraph (b) introductory text to read as follows:

**§ 60.4 Address.**

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the appropriate Regional Office of the U.S. Environmental Protection Agency to the attention of the Director of the Division indicated in the following list of EPA Regional Offices. If a request, report, application, submittal, or other communication is required by this part to be submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) then such submission satisfies the requirements of this paragraph.

Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont), Director, Office of Ecosystem



Protection, U.S. Environmental Protection Agency, 5 Post Office Square—Suite 100, Boston, MA 02109-3912.

Region II (New Jersey, New York, Puerto Rico, Virgin Islands), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, Federal Office Building, 26 Federal Plaza (Foley Square), New York, NY 10278.

Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia), Director, Air Protection Division, Mail Code 3AP00, 1650 Arch Street, Philadelphia, PA 19103-2029.

Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), Director, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, 61 Forsyth St. SW., Suite 9T43, Atlanta, Georgia 30303-8960.

Region V (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin), Director, Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, IL 60604-3590.

Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas); Director; Air, Pesticides, and Toxics Division; U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, TX 75202.

Region VII (Iowa, Kansas, Missouri, Nebraska), Director, Air and Waste Management Division, 11201 Renner Boulevard, Lenexa, Kansas 66219.

Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming) Director, Air and Toxics Technical Enforcement Program, Office of Enforcement, Compliance and Environmental Justice, Mail Code 8ENF-AT, 1595 Wynkoop Street, Denver, CO 80202-1129.

Region IX (Arizona, California, Hawaii and Nevada; the territories of American Samoa and Guam; the Commonwealth of the Northern Mariana Islands; the territories of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Palmyra Atoll, and Wake Islands; and certain U.S. Government activities in the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau), Director, Air Division, U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105.

Region X (Alaska, Oregon, Idaho, Washington), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Seattle, WA 98101.

(b) Section 111(c) directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards of performance for new stationary sources located in such State. Indian tribes which have obtained treatment in the same manner as a state (TAS) for that purpose may also be delegated such authority. All information required in this part to be submitted to the EPA, must also be submitted in paper format to the appropriate State or Tribal agency of any State or Tribe to which this authority has been delegated (the delegated authority) unless the delegated authority specifies another format. Information submitted in paper format must be postmarked by the date by which the subpart requires the electronic submittal of the report to the EPA's CEDRI. Any information required to be submitted electronically by this part via the EPA's CEDRI may, at the discretion of the delegated authority, satisfy the requirements of this paragraph. Each specific delegation may exempt sources from certain Federal or State reporting requirements under this part, with the exception of Federal electronic reporting requirements under this part. Sources may not be exempted from Federal electronic reporting requirements. All reports must be submitted by the deadline specified in the subpart of interest, regardless of the method in which the report is submitted. The appropriate mailing

address for those States whose delegation requests have been approved is as follows:

\* \* \* \* \*

3. Section 60.7 is amended by revising paragraph (c) introductory text and adding paragraph (i) to read as follows:

**§ 60.7 Notification and record keeping.**

\* \* \* \* \*

(c) Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and-or summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, unless otherwise specified by an applicable subpart, each owner or operator shall submit all subsequent reports required by this paragraph to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange

(CDX) (<https://cdx.epa.gov/>.) The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. All reports shall be submitted by the 30th day following the end of each six-month period, regardless of the method in which the report is submitted, as required under this part. Reports of excess emissions shall include the following information:

\* \* \* \* \*

(i) Any records required to be maintained by this part that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

4. Section 60.8 is amended by revising paragraph (a) introductory text and adding paragraph (j) to read as follows:

**§ 60.8 Performance tests.**

(a) Except as specified in paragraphs (a)(1), (2), (3), and (4) of this section, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator under section 114 of the Clean Air Act, the owner or operator of such facility shall conduct performance test(s) and submit to the Administrator a report of the results of such performance test(s). Beginning on **[insert date 90 days after date of publication in the Federal Register]**, unless otherwise specified in an applicable subpart, submit the results of all performance tests following the procedure specified in paragraph (j) of this section.

\* \* \* \* \*

(j) Beginning on **[insert date 90 days after date of publication in the Federal Register]**, unless otherwise specified in an applicable subpart, each owner or operator must submit the results of all performance tests following the procedures specified in paragraph (j)(1) through (3) of this section.

(1) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air->

emissions/electronic-reporting-tool-ert) at the time of the test, the owner or operator must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(2) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, the owner or operator must submit the results of the performance test to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(3) Owners or operators who claim that some of the performance test information being submitted under paragraph (j)(1) of this section is confidential business information (CBI) must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The

electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (j)(1) of this section.

5. Section 60.13 is amended by revising paragraph (c)(2) to read as follows:

**§ 60.13 Monitoring requirements.**

\* \* \* \* \*

(c) \* \* \*

(2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall submit to the Administrator within 60 days of completion of the performance evaluation a report of the results of the performance evaluation. Beginning on **[insert date 90 days after date of publication in the Federal Register]**, unless otherwise provided by an applicable subpart, the results of the performance evaluation shall be submitted following the procedures specified in paragraphs (c)(2)(i) through (iii) of this section.

(i) For performance evaluations of continuous monitoring systems measuring relative accuracy test audit (RATA) pollutants



that are supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site

(<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test, the owner or operator shall submit the results of the performance evaluation to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). Performance evaluation data shall be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(ii) For any performance evaluations of continuous monitoring systems measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, the owner or operator shall submit two or, upon request, more copies of a written report of the results of the performance evaluation to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(iii) Owners or operators who claim that some of the performance evaluation information being submitted under

paragraph (c)(2)(i) of this section is confidential business information (CBI) shall submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium shall be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted shall be submitted to the EPA via the EPA's CDX as described in paragraph (c)(2)(i) of this section.

\* \* \* \* \*

6. Section 60.19 is amended by revising paragraph (b) and adding paragraphs (g) through (i) to read as follows:

**§ 60.19 General notification and reporting requirements.**

\* \* \* \* \*

(b) For the purposes of this part, if an explicit postmark and-or electronic submittal deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark, when paper submission is required by this part, and electronically submit,

when electronic submission is required by this part, the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked, when paper submission is required by this part, and electronically submitted, when electronic submission is required by this part, on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked, when paper submission is required by this part, and electronically submitted, when electronic submission is required by this part, on or before 15 days following the end of the event. For submittals required to be submitted in paper form, the use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the delegated authority, is acceptable.

\* \* \* \* \*

(g) If you are required to electronically submit a report through the Compliance and Emissions Data Reporting Interface

(CEDRI) in the EPA's Central Data Exchange (CDX), and due to a planned or actual outage of either the EPA's CEDRI or CDX systems within the period of time beginning 5 business days prior to the date that the submission is due, you will be or are precluded from accessing CEDRI or CDX and submitting a required report within the time prescribed, you may assert a claim of EPA system outage for failure to timely comply with the reporting requirement. You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or caused a delay in reporting. You must provide to the Administrator a written description identifying the date, time and length of the outage; a rationale for attributing the delay in reporting beyond the regulatory deadline to the EPA system outage; describe the measures taken or to be taken to minimize the delay in reporting; and identify a date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported. In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved. The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(h) If you are required to electronically submit a report through CEDRI in the EPA's CDX and a force majeure event is about to occur, occurs, or has occurred within the period of time beginning 5 business days prior to the date the submission is due, the owner or operator may assert a claim of force majeure for failure to timely comply with the reporting requirement. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage). If you intend to assert a claim of force majeure, you must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or caused a delay in reporting. You must provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure

event; describe the measures taken or to be taken to minimize the delay in reporting; and identify a date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported. In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs. The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(i) Owners or operators who claim that some of the information required to be submitted via the Compliance and Emissions Data Reporting Interface (CEDRI) is confidential business information (CBI) shall submit a complete report generated using the appropriate form in CEDRI or an alternate electronic file consistent with the extensible markup language (XML) schema listed on the EPA's CEDRI Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium shall be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted shall be submitted to the EPA via CEDRI. (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)).

**Subpart Cb - Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors That are Constructed on or Before September 20, 1994**

7. Section 60.39b is amended by revising paragraph (a) to read as follows:

**§ 60.39b Reporting and recordkeeping guidelines and compliance schedules.**

(a) For approval, a State plan shall include the reporting and recordkeeping provisions listed in §60.59b of subpart Eb of this part, as applicable, except for the siting requirements under §60.59b(a), (b)(5), and (d)(11) of subpart Eb of this part. Where subpart Eb requires data to be electronically reported to the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), State plans shall require the designated facility to submit these data in hard copy at the appropriate address listed in §60.4, unless an alternate reporting method is agreed to or specified.

\* \* \* \* \*

**Subpart Cc - Emissions Guidelines and Compliance Times for Municipal Solid Waste Landfills**

8. Section 60.35c is amended by revising the introductory text to read as follows:

**§ 60.35c Reporting and recordkeeping guidelines.**

For approval, a State plan shall include the recordkeeping and reporting provisions listed in §§60.757 and 60.758, as applicable, except as provided under §60.24. Where subpart WWW of this part requires data to be electronically reported to the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), State plans shall require the designated facility to submit these data in hard copy at the appropriate address listed in §60.4, unless an alternate reporting method is agreed to or specified.

\* \* \* \* \*

**Subpart Ce - Emissions Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators**

9. Section 60.38e is amended by revising paragraph (a) to read as follows:

**§ 60.38e Reporting and recordkeeping guidelines.**

(a) Except as provided in paragraphs (a)(1) through (a)(3) of this section, for approval, a State plan shall include the reporting and recordkeeping requirements listed in §60.58c(b) through (g) of subpart Ec of this part. Where subpart Ec requires data to be electronically reported to the EPA's Compliance and Emissions Data Reporting Interface (CEDRI), State plans shall require the designated facility to submit these data



in hard copy at the appropriate address listed in §60.4, unless an alternate reporting method is agreed to or specified.

\* \* \* \* \*

**Subpart D - Standards of Performance for Fossil-Fuel-Fired Steam Generators**

10. Section 60.40 is amended by adding paragraph (f) to read as follows:

**§ 60.40 Applicability and designation of affected facility.**

\* \* \* \* \*

(f) The requirements to report data electronically to the Compliance and Emissions Data Reporting Interface (CEDRI) in §§ 60.7(c), 60.8(j), and 60.13(c)(2) do not apply to this subpart. The owner or operator must continue to submit these data to the Administrator in hard copy at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

**Subpart Da - Standards of Performance for Electric Utility Steam Generating Units**

11. Section 60.51Da is amended by revising paragraph (i) to read as follows:

\* \* \* \* \*

(i) For the purposes of the reports required under § 60.7, periods of excess emissions are defined as all 6-minute periods during which the average opacity exceeds the applicable opacity standards under § 60.42Da(b). Opacity levels in excess of the applicable opacity standard and the date of such excesses are to be submitted to the Administrator each calendar quarter. The requirement to report data electronically to the Compliance and Emissions Data Reporting Interface (CEDRI) in § 60.7(c) does not apply to this subpart. The owner or operator must continue to submit these data to the Administrator in hard copy at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

**Subpart Db - Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units**

12. Section 60.49b is amended by revising paragraph (h) introductory text to read as follows:

\* \* \* \* \*

(h) The owner or operator of any affected facility in any category listed in paragraphs (h)(1) or (2) of this section is required to submit excess emission reports for any excess emissions that occurred during the reporting period. The requirement to report data electronically to the Compliance and Emissions Data Reporting Interface (CEDRI) in § 60.7(c) does not

apply to this subpart. The owner or operator must continue to submit these data to the Administrator in hard copy at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

\* \* \* \* \*

**Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units**

13. Section 60.48c is amended by adding paragraph (k) to read as follows:

\* \* \* \* \*

(k) The requirement to report data electronically to the Compliance and Emissions Data Reporting Interface (CEDRI) in § 60.7(c) does not apply to this subpart. The owner or operator must continue to submit these data to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

**Subpart Ea - Standards of Performance for Municipal Waste Combustors for Which Construction Is Commenced After December 20, 1989 and On or Before September 20, 1994**

14. Section 60.50a is amended by revising paragraph (1) to read as follows:

**§ 60.50a Applicability and delegation of authority.**

\* \* \* \* \*

(1) The following authorities shall be retained by the Administrator and not transferred to a State:

(1) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

(2) [Reserved]

\* \* \* \* \*

15. Section 60.59a is amended by:

- a. Revising paragraph (c);
- b. Revising paragraphs (e) through (g); and
- c. Adding paragraph (k).

The revisions and addition read as follows:

**§ 60.59a Reporting and recordkeeping requirements.**

\* \* \* \* \*

(c) Following the initial compliance test as required under §§ 60.8 and 60.58a, the owner or operator of an affected facility located within a large MWC plant shall submit, following the procedure specified in § 60.8(a), the results of the initial compliance test data, and shall submit, following the procedure specified in § 60.13(c)(2), the results of the performance evaluation of the CEMS conducted using the applicable performance specifications in appendix B. The owner or operator shall submit the maximum demonstrated MWC unit load and maximum demonstrated particulate matter control device

temperature established during the dioxin/furan compliance test with the report of the results of the initial dioxin/furan compliance test.

\* \* \* \* \*

(e)(1) The owner or operator of an affected facility located within a large MWC plant shall submit, following the procedure specified in § 60.7(c), annual compliance reports for sulfur dioxide, nitrogen oxide (if applicable), carbon monoxide, load level, and particulate matter control device temperature containing the information recorded under paragraphs (b)(1), (2)(ii), (4), (5), and (6) of this section for each pollutant or parameter. The hourly average values recorded under paragraph (b)(2)(i) of this section are not required to be included in the annual reports. Combustors firing a mixture of medical waste and other MSW shall also provide the information under paragraph (b)(15) of this section, as applicable, in each annual report. The owner or operator of an affected facility must submit, following the procedure specified in § 60.7(c), reports semiannually once the affected facility is subject to permitting requirements under Title V of the Act.

(2) The owner or operator shall submit, following the procedure specified in § 60.7(c), a semiannual report for any pollutant or parameter that does not comply with the pollutant

or parameter limits specified in this subpart. Such report shall include the information recorded under paragraph (b)(3) of this section. For each of the dates reported, include the sulfur dioxide, nitrogen oxide, carbon monoxide, load level, and particulate matter control device temperature data, as applicable, recorded under paragraphs (b)(2)(ii)(A) through (D) of this section.

(3) Reports shall be submitted no later than the 30th day following the end of the annual or semiannual period, as applicable.

(f)(1) The owner or operator of an affected facility located within a large MWC plant shall submit, following the procedure specified in § 60.7(c), annual compliance reports, as applicable, for opacity. The annual report shall list the percent of the affected facility operating time for the reporting period that the opacity CEMS was operating and collecting valid data. Once the unit is subject to permitting requirements under Title V of the Act, the owner or operator of an affected facility must submit these reports semiannually.

(2) The owner or operator shall submit, following the procedure specified in § 60.7(c), a semiannual report for all periods when the 6-minute average levels exceeded the opacity limit under § 60.52a. The semiannual report shall include all

information recorded under paragraph (b)(3) of this section which pertains to opacity, and a listing of the 6-minute average opacity levels recorded under paragraph (b)(2)(i)(A) of this section, which exceeded the opacity limit.

(3) Reports shall be submitted no later than the 30th day following the end of the annual or semiannual period, as applicable.

(g)(1) The owner or operator of an affected facility located within a large MWC plant shall submit, following the procedure specified in § 60.8(a), reports of all annual performance tests for particulate matter, dioxin/furan, and hydrogen chloride as recorded under paragraph (b)(7) of this section, as applicable, from the affected facility. For each annual dioxin/furan compliance test, the maximum demonstrated MWC unit load and maximum demonstrated particulate matter control device temperature shall be reported. Such reports shall be submitted when available and in no case later than the date of required submittal of the annual report specified under paragraphs (e) and (f) of this section, or within six months of the date the test was conducted, whichever is earlier.

(2) The owner or operator shall submit, following the procedure specified in § 60.8(a), a report of test results which document any particulate matter, dioxin/furan, and hydrogen

chloride levels that were above the applicable pollutant limit. The report shall include the performance test results documenting the emission levels and shall include the corrective action taken. Such reports shall be submitted when available and in no case later than the date required for submittal of any semiannual report required in paragraphs (e) or (f) of this section, or within six months of the date the test was conducted, whichever is earlier.

\* \* \* \* \*

(k) Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

**Subpart Eb—Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996**

16. Section 60.50b is amended by adding paragraph (n)(11) to read as follows:

**§ 60.50b Applicability and delegation of authority.**



\* \* \* \* \*

(n) \* \* \*

(11) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

\* \* \* \* \*

17. Section 60.59b is amended by:

- a. Revising paragraph (f) introductory text;
- b. Revising paragraph (g) introductory text; and
- c. Revising paragraphs (j) and (k).

The revisions read as follows:

**§ 60.59b Reporting and recordkeeping requirements.**

\* \* \* \* \*

(f) The owner or operator of an affected facility shall submit the information specified in paragraphs (f)(1), (2), and (4) through (6) of this section in the initial performance test report. The owner or operator shall submit the report following the procedure specified in § 60.8(a). The owner or operator of an affected facility shall submit the information specified in paragraph (f)(3) of this section following the procedure specified in § 60.13(c)(2).

\* \* \* \* \*

(g) Following the first year of municipal waste combustor operation, the owner or operator of an affected facility shall

submit, following the procedure specified in § 60.7(c), an annual report that includes the information specified in paragraphs (g)(1) through (5) of this section, as applicable, no later than February 1 of each year following the calendar year in which the data were collected. (Once the unit is subject to permitting requirements under title V of the Clean Air Act, the owner or operator of an affected facility must submit these reports semiannually. The reports must be submitted following the procedure specified in § 60.7(c).)

\* \* \* \* \*

(j) All reports specified under paragraphs (a), (b), (c), (f), (g), (h), and (i) of this section shall be electronically submitted, when electronic submission is required by this subpart, and postmarked, when paper submission is required by this subpart, on or before the submittal dates specified under these paragraphs, and maintained onsite for a period of 5 years. Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

(k) All records specified under paragraphs (d) and (e) of this section shall be maintained onsite in either paper copy or electronic format.

\* \* \* \* \*

**Subpart Ec - Standards of Performance for New Stationary**

**Sources: Hospital/Medical/Infectious Waste Incinerators**

18. Section 60.50c is amended by:

- a. Revising paragraphs (i)(4) and (5); and
- b. Adding paragraph (i)(6).

The revisions and addition read as follows:

**§ 60.50c Applicability and delegation of authority.**

\* \* \* \* \*

(i) \* \* \*

- (4) Waiver of recordkeeping requirements;
- (5) Performance test and data reduction waivers under § 60.8(b); and

(6) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

\* \* \* \* \*

19. Section 60.58c is amended by:

- a. Revising paragraph (c)(1);
- b. Revising paragraph (d) introductory text;
- c. Revising paragraphs (d)(5) and (6);

- d. Revising paragraphs (e) and (f); and
- e. Removing paragraph (g).

The revisions read as follows:

**§ 60.58c Reporting and recordkeeping requirements.**

\* \* \* \* \*

(c) \* \* \*

(1) The initial performance test data as recorded under § 60.56c(b)(1) through (14), as applicable. The owner or operator shall submit the results of the performance test following the procedure specified in § 60.8(a).

\* \* \* \* \*

(d) An annual report shall be submitted 1 year following the submissions of the information in paragraph (c) of this section and subsequent reports shall be submitted no more than 12 months following the previous report (once the unit is subject to permitting requirements under title V of the Clean Air Act, the owner or operator of an affected facility must submit these reports semiannually). The report shall include the information specified in paragraphs (d)(1) through (11) of this section. All written reports shall be signed by the facilities manager. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the

owner or operator shall submit all subsequent reports required by this paragraph to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)).

The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site

(<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

\* \* \* \* \*

(5) Any information recorded under paragraphs (b)(3) through (5) of this section for the calendar year preceding the year being reported, in order to provide the Administrator with a summary of the performance of the affected facility over a 2-year period. Starting with the second year of submitting these reports electronically, information for the preceding calendar year is not required.

(6) For each performance test conducted during the reporting period, if any performance test is conducted, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted. Submit, following the procedure specified in § 60.8(a), the performance test report no later than the date that the annual report is submitted.

\* \* \* \* \*

(e) The owner or operator of an affected facility shall submit semiannual reports containing any information recorded under paragraphs (b)(3) through (5) of this section no later than 60 days following the reporting period. The first semiannual reporting period ends 6 months following the submission of information in paragraph (c) of this section. Subsequent reports shall be submitted no later than 6 calendar months following the previous report. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit all subsequent reports required by this paragraph to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>)).) The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible

markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(f) All records specified under paragraph (b) of this section shall be maintained onsite in either paper copy or electronic format.

#### **Subpart F - Standards of Performance for Portland Cement Plants**

##### **§ 60.64 [Amended]**

20. Section 60.64 is amended by removing paragraph (d).

21. Section 60.65 is amended by:

- a. Revising paragraphs (a) through (c); and
- b. Adding paragraphs (d) and (e).

The revisions and additions read as follows:

##### **§ 60.65 Recordkeeping and reporting requirements.**

(a) Each owner or operator required to install a CPMS or CEMS under sections § 60.63(c) through (e) shall submit reports of excess emissions. The content of these reports must comply with § 60.7(c), and the reports must be submitted following the

procedure specified in § 60.7(c). Notwithstanding the provisions of § 60.7(c), such reports shall be submitted semiannually.

(b) Each owner or operator of facilities subject to the provisions of § 60.63(c) through (e) shall submit semiannual reports of the malfunction information required to be recorded by § 60.7(b). These reports shall be submitted following the procedure specified in § 60.7(c) and shall include the frequency, duration, and cause of any incident resulting in deenergization of any device controlling kiln emissions or in the venting of emissions directly to the atmosphere.

(c) The requirements of this section remain in force until and unless the Environmental Protection Agency, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, 42 U.S.C. 7411, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected sources within the State will be relieved of the obligation to comply with this section, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to



submit the electronic reports required in this section to the EPA.

(d) Within 60 days after the date of completing each performance test (see § 60.8) required by this subpart, the owner or operator must submit the results of the performance test following the procedures specified in paragraphs (d)(1) through (3) of this section. The owner or operator must include the information specified in paragraph (d)(4) of this section for PM performance test reports used to set a PM CPMS operating limit.

(1) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test, the owner or operator must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(2) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, the owner or operator must submit the results of the performance test to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(3) Owners or operators who claim that some of the performance test information being submitted under paragraph (d)(1) of this section is confidential business information (CBI) must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (d)(1) of this section.

(4) For PM performance test reports used to set a PM CPMS operating limit, the electronic submission of the test report must also include the make and model of the PM CPMS instrument,

serial number of the instrument, analytical principle of the instrument (e.g., beta attenuation), span of the instrument's primary analytical range, milliamp value equivalent to the instrument zero output, technique by which this zero value was determined, and the average milliamp signals corresponding to each PM compliance test run.

(e) Within 60 days after the date of completing each CEMS performance evaluation, as defined in § 63.2 of part 63 of this chapter, the owner or operator must submit the results of the performance evaluation following the procedures specified in paragraphs (e)(1) through (3) of this section.

(1) For performance evaluations of continuous monitoring systems measuring relative accuracy test audit (RATA) pollutants that are supported by the EPA's ERT as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test, the owner or operator must submit the results of the performance evaluation to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>).) Performance evaluation data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(2) For any performance evaluations of continuous monitoring systems measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, the owner or operator must submit the results of the performance evaluation to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(3) Owners or operators who claim that some of the performance evaluation information being submitted under paragraph (e)(1) of this section is CBI must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (e)(1) of this section.

22. Section 60.66 is amended by adding paragraph (b)(5) to read as follows:

**§ 60.66 Delegation of authority.**

\* \* \* \* \*

(b) \* \* \*

(5) Approval of an alternative to any electronic reporting to the EPA required by § 60.65.

**Subpart Ga - Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011**

23. Section 60.76a is amended by adding paragraph (g) to read as follows:

**§ 60.76a Recordkeeping.**

\* \* \* \* \*

(g) Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

24. Section 60.77a is amended by:

- a. Removing and reserving paragraph (a);
- b. Revising paragraph (b) introductory text;
- c. Revising paragraph (c) introductory text;

- d. Revising paragraph (e); and
- e. Revising paragraph (f) introductory text.

The revisions read as follows:

**§ 60.77a Reporting.**

(a) [Reserved]

(b) The following information must be submitted, following the procedure specified in § 60.7(c), for each 30 operating day period where you were not in compliance with the emissions standard:

\* \* \* \* \*

(c) You must also submit, following the procedure specified in § 60.7(c), the following whenever they occur:

\* \* \* \* \*

(e) Within 60 days after the date of completing each performance test or CEMS performance evaluation required by this subpart, the owner or operator must submit the results of the performance test or performance evaluation following the procedures specified in paragraphs (e)(1) through (3) of this section.

(1) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test

or for performance evaluations of continuous monitoring systems measuring relative accuracy test audit (RATA) pollutants that are supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, the owner or operator must submit the results of the performance test or performance evaluation to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>.) Performance test and performance evaluation data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(2) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test or for any performance evaluations of continuous monitoring systems measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, the owner or operator must submit the results of the performance test to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(3) Owners or operators who claim that some of the performance test or performance evaluation information being

submitted under paragraph (e)(1) of this section is confidential business information (CBI) must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (e)(1) of this section.

(f) If a malfunction occurred during the reporting period, you must submit, following the procedure specified in § 60.7(c), a report that contains the following:

\* \* \* \* \*

**Subpart J—Standards of Performance for Petroleum Refineries**

25. Section 60.107 is amended by:

- a. Revising paragraphs (c) introductory text, and (f); and
- b. Adding paragraph (h).

The revisions and addition read as follows:

**§ 60.107 Reporting and recordkeeping requirements.**

\* \* \* \* \*



(c) Each owner or operator subject to § 60.104(b) shall submit a report except as provided by paragraph (d) of this section. The information specified in paragraphs (c)(1) through (6) of this section shall be contained in the report. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, each owner or operator shall submit subsequent reports of the information specified in paragraphs (c)(1) through (6) of this section (except for the information required by paragraph (c)(4)(vi) of this section) to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. The owner or operator shall submit the information required by (c)(4)(vi) of this section to

the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

\* \* \* \* \*

(f) The owner or operator of an affected facility shall submit the reports required under this subpart to the Administrator semiannually for each six-month period. All semiannual reports shall be submitted electronically and-or postmarked by the 30th day following the end of each six-month period.

\* \* \* \* \*

(h) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

26. Section 60.109 is amended by adding paragraph (b)(3) to read as follows:

**§ 60.109 Delegation of authority.**

\* \* \* \* \*

(b) \* \* \*

(3) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart Ja - Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007**

27. Section 60.104a is amended by revising paragraph (b) to read as follows:

**§ 60.104a Performance tests.**

\* \* \* \* \*

(b) The owner or operator of a FCCU or FCU that elects to monitor control device operating parameters according to the requirements in § 60.105a(b), to use bag leak detectors according to the requirements in § 60.105a(c), or to use COMS according to the requirements in § 60.105a(e) shall conduct a PM performance test at least annually (i.e., once per calendar year, with an interval of at least 8 months but no more than 16 months between annual tests) and submit, following the procedure specified in § 60.8(a), a report of the results of each test.

\* \* \* \* \*

28. Section 60.109a is amended by adding paragraph (b)(5) to read as follows:

**§ 60.109a Delegation of authority.**

\* \* \* \* \*

(b) \* \* \*

(5) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart Ka - Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984**

29. Section 60.113a is amended by revising paragraph

(a)(1)(i)(E) to read as follows:

**§ 60.113a Testing and procedures.**

(a) \* \* \*

(1) \* \* \*

(i) \* \* \*

(E) If either the seal gap calculated in accord with paragraph (a)(1)(iii) of this section or the measured maximum seal gap exceeds the limitations specified by § 60.112a of this subpart, a report shall be submitted within 60 days of the date of measurements. The report shall identify the vessel and list each reason why the vessel did not meet the specifications of § 60.112a. The report shall also describe the actions necessary to bring the storage vessel into compliance with the specifications of § 60.112a. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form

has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

\* \* \* \* \*

**Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984**

30. Section 60.115b is amended by:

- a. Revising the introductory text;
- b. Revising paragraph (a)(3);
- c. Revising paragraph (b)(4);

- d. Revising paragraph (d)(3); and
- e. Adding paragraph (e).

The revisions and addition read as follows:

**§ 60.115b Reporting and recordkeeping requirements.**

The owner or operator of each storage vessel as specified in § 60.112b(a) shall keep records and furnish reports as required by paragraphs (a), (b), or (c) of this section depending upon the control equipment installed to meet the requirements of § 60.112b. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by paragraph (c)(1) of this section, for at least 2 years. The record required by paragraph (c)(1) of this section will be kept for the life of the control equipment. Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

(a) \* \* \*

(3) If any of the conditions described in § 60.113b(a)(2) are detected during the annual visual inspection required by §

60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports shall be submitted following the procedure specified in paragraph (e) of this section. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

\* \* \* \* \*

(b) \* \* \*

(4) After each seal gap measurement that detects gaps exceeding the limitations specified by § 60.113b(b)(4), submit a report to the Administrator within 30 days of the inspection. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports shall be submitted following the procedure specified in paragraph (e) of this section. The report will identify the vessel and contain the information specified in paragraph (b)(2) of this section and the date the vessel was emptied or the repairs made and date of repair.

\* \* \* \* \*

(d) \* \* \*

(3) Semiannual reports of all periods recorded under § 60.115b(d)(2) in which the pilot flame was absent shall be furnished to the Administrator. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports shall be submitted following the procedure specified in paragraph (e) of this section.

(e) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.



31. Section 60.117b is amended by revising paragraph (b) to read as follows:

**§ 60.117b Delegation of authority.**

\* \* \* \* \*

(b) Authorities which will not be delegated to States: §§ 60.111b(f)(4), 60.114b, 60.116b(e)(3)(iii), 60.116b(e)(3)(iv), 60.116b(f)(2)(iii), and approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart N - Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973**

32. Section 60.143 is amended by revising paragraph (c) to read as follows:

**§ 60.143 Monitoring of operations.**

\* \* \* \* \*

(c) Any owner or operator subject to the requirements of paragraph (b) of this section shall report to the Administrator, on a semiannual basis, all measurements over any 3-hour period that average more than 10 percent below the average levels maintained during the most recent performance test conducted under § 60.8 in which the affected facility demonstrated compliance with the mass standards under § 60.142(a)(1), (b)(1)(i), or (b)(2)(i). The accuracy of the respective

measurements, not to exceed the values specified in paragraphs (b)(1) and (2) of this section, may be taken into consideration when determining the measurement results that must be reported. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports of such measurements shall be submitted to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). You shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

**Subpart Na - Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983**

33. Section 60.143a is amended by:

- a. Revising paragraphs (d) and (e); and
- b. Adding paragraph (f).

The revisions and addition read as follows:

**§ 60.143a Monitoring of operations.**

\* \* \* \* \*

(d) Each owner or operator subject to the requirements of paragraph (a) of this section shall report on a semiannual basis all measurements of exhaust ventilation rates or levels over any 3-hour period that average more than 10 percent below the average rates or levels of exhaust ventilation maintained during the most recent performance test conducted under § 60.8 in which the affected facility demonstrated compliance with the standard under § 60.142a(a)(2). The accuracy of the respective measurements, not to exceed the values specified in paragraph (c) of this section, may be considered when determining the measurement results that must be reported. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports shall be submitted following the procedure specified in paragraph (f) of this section.

(e) If a scrubber primary emission control device is used to collect secondary emissions, the owner or operator shall

report on a semiannual basis all measurements of exhaust ventilation rate over any 3-hour period that average more than 10 percent below the average levels maintained during the most recent performance test conducted under § 60.8 in which the affected facility demonstrated compliance with the standard under § 60.142(a)(1). Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports shall be submitted following the procedure specified in paragraph (f) of this section.

(f) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by

the deadline specified in this subpart, regardless of the method in which the report is submitted.

**Subpart O - Standards of Performance for Sewage Treatment Plants**

34. Section 60.155 is amended by revising paragraph (a) introductory text to read as follows:

**§ 60.155 Reporting.**

(a) The owner or operator of any multiple hearth, fluidized bed, or electric sludge incinerator subject to the provisions of this subpart shall submit to the Administrator semi-annually a report in writing that contains the information in paragraphs (a)(1) and (2) of this section. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports shall be submitted to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed

on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

\* \* \* \* \*

35. Section 60.156 is amended by revising paragraph (b) to read as follows:

**§ 60.156 Delegation of authority.**

\* \* \* \* \*

(b) Authorities which will not be delegated to States: § 60.153(e) and approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart S - Standards of Performance for Primary Aluminum Reduction Plants**

36. Section 60.192 is amended by revising paragraph (b) to read as follows:

**§ 60.192 Standard for fluorides.**

\* \* \* \* \*

(b) Within 30 days of any performance test which reveals emissions which fall between the 1.0 kg/Mg and 1.3 kg/Mg levels in paragraph (a)(1) of this section or between the 0.95 kg/Mg and 1.25 kg/Mg levels in paragraph (a)(2) of this section, the owner or operator shall submit a report indicating whether all necessary control devices were on-line and operating properly

during the performance test, describing the operating and maintenance procedures followed, and setting forth any explanation for the excess emissions, to the Director of the Enforcement Division of the appropriate EPA Regional Office. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, each owner or operator shall submit subsequent reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

**Subpart Y - Standards of Performance for Coal Preparation and Processing Plants**

37. Section 60.258 is amended by revising paragraphs (c) and (d) and adding paragraph (e) to read as follows:

**§ 60.258 Reporting and recordkeeping.**

\* \* \* \* \*

(c) The owner or operator who elects to comply with the reduced performance testing provisions of § 60.255(c) or (d) shall include in the performance test report identification of each affected facility that will be subject to the reduced testing. The owner or operator electing to comply with § 60.255(d) shall also include information which demonstrates that the control devices are identical.

(d) Within 60 days after the date of completing each performance test (see § 60.8) required by this subpart, the owner or operator must submit the results of the performance test following the procedures specified in paragraphs (d)(1) through (3) of this section.

(1) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test, the owner or operator must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through



the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>.) Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(2) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, the owner or operator must submit the results of the performance test to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(3) If you claim that some of the performance test data being submitted under paragraph (d)(1) of this section is Confidential Business Information (CBI), you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA

via the EPA's CDX as described in paragraph (d)(1) of this section.

(e) Within 60 days after the date of completing each continuous monitoring system performance evaluation, as defined in § 63.2 of part 63 of this chapter, the owner or operator must submit the results of the performance evaluation following the procedures specified in paragraphs (e)(1) through (3) of this section.

(1) For performance evaluations of continuous monitoring systems measuring relative accuracy test audit (RATA) pollutants that are supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test, the owner or operator must submit the results of the performance evaluation to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). Performance evaluation data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(2) For any performance evaluations of continuous monitoring systems measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, the owner or operator must submit the results of the performance evaluation to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(3) If you claim that some of the performance evaluation information being submitted under paragraph (e)(1) of this section is Confidential Business Information (CBI), you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (e)(1) of this section.

**Subpart AA - Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983**

38. Section 60.276 is amended by:

- a. Revising paragraph (a);
- b. Revising paragraph (c) introductory text; and
- c. Adding paragraph (f).

The revisions and addition read as follows:

**§ 60.276 Recordkeeping and reporting requirements.**

(a) Operation at a furnace static pressure that exceeds the value established under § 60.274(g) and either operation of control system fan motor amperes at values exceeding ±15 percent of the value established under § 60.274(c) or operation at flow rates lower than those established under § 60.274(c) may be considered by the Administrator to be unacceptable operation and maintenance of the affected facility. Operation at such values shall be reported to the Administrator semiannually. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports of operation at such values shall be reported to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX))

(<https://cdx.epa.gov/>.) The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

\* \* \* \* \*

(c) For the purpose of this subpart, the owner or operator shall conduct the demonstration of compliance with § 60.272(a) of this subpart and submit, following the procedure specified in § 60.8(a), a report of the results of the performance test. This report shall include the following information:

\* \* \* \* \*

(f) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a

delegated air agency or the EPA as part of an onsite compliance evaluation.

**Subpart AAa - Standards of Performance for Steel Plants:**

**Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels  
Constructed After August 17, 1983**

39. Section 60.276a is amended by:

- a. Revising paragraphs (b) through (d);
- b. Revising paragraph (f) introductory text; and
- c. Adding paragraphs (i) and (j).

The revisions and addition read as follows:

**§ 60.276a Recordkeeping and reporting requirements.**

\* \* \* \* \*

(b) Each owner or operator shall submit a written report of exceedances of the control device opacity to the Administrator semi-annually. For the purposes of these reports, exceedances are defined as all 6-minute periods during which the average opacity is 3 percent or greater. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports shall be submitted following the procedure specified in paragraph (i) of this section.

(c) Operation at a furnace static pressure that exceeds the value established under § 60.274a(g) and either operation of control system fan motor amperes at values exceeding ±15 percent of the value established under § 60.274a(c) or operation at flow rates lower than those established under § 60.274a(c) may be considered by the Administrator to be unacceptable operation and maintenance of the affected facility. Operation at such values shall be reported to the Administrator semiannually. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports shall be submitted following the procedure specified in paragraph (i) of this section.

(d) The requirements of this section remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with this section, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA

cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

\* \* \* \* \*

(f) For the purpose of this subpart, the owner or operator shall conduct the demonstration of compliance with § 60.272a(a) of this subpart and submit, following the procedure specified in § 60.8(a), a report of the results of the test. This report shall include the following information:

\* \* \* \* \*

(i) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by



the deadline specified in this subpart, regardless of the method in which the report is submitted.

(j) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

**Subpart BBa - Standards of Performance for Kraft Pulp Mill  
Affected Sources for Which Construction, Reconstruction, or  
Modification Commenced After May 23, 2013**

40. Section 60.287a is amended by adding paragraph (d) to read as follows:

**§ 60.287a Recordkeeping.**

\* \* \* \* \*

(d) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

41. Section 60.288a is amended by:

- a. Revising paragraphs (b) and (c); and
- b. Revising paragraph (d) introductory text.

The revisions read as follows:

**§ 60.288a Reporting.**

\* \* \* \* \*

(b) Within 60 days after the date of completing each performance test (see § 60.8) required by this subpart, you must submit the results of the performance test following the procedures specified in paragraphs (b)(1) through (3) of this section.

(1) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test, you must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>.) Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(2) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, you must submit the results of the performance test to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(3) If you claim that some of the performance test information being submitted under paragraph (b)(1) of this section is confidential business information (CBI), you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (b)(1) of this section.

(c) Within 60 days after the date of completing each CEMS performance evaluation, as defined in § 63.2 of part 63 of this chapter, you must submit the results of the performance

evaluation following the procedures specified in paragraphs (c)(1) through (3) of this section.

(1) For performance evaluations of continuous monitoring systems measuring relative accuracy test audit (RATA) pollutants that are supported by the EPA's ERT as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test, submit the results of the performance evaluation to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>)). Performance evaluation data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(2) For any performance evaluations of continuous monitoring systems measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, submit the results of the performance evaluation to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(3) If you claim that some of the performance evaluation information being submitted under paragraph (c)(1) of this

section is CBI, you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (c)(1) of this section.

(d) If a malfunction occurred during the reporting period, you must submit, following the procedure specified in § 60.7(c), a report that contains the following:

\* \* \* \* \*

**Subpart EE - Standards of Performance for Surface Coating of Metal Furniture**

42. Section 60.315 is amended by:

- a. Revising paragraph (b);
- b. Revising paragraph (c) introductory text; and
- c. Revising paragraph (d).

The revisions read as follows:

**§ 60.315 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(b) Following the initial performance test, the owner or operator of an affected facility shall identify, record, and submit a report every calendar quarter of each instance in which the volume-weighted average of the total mass of VOCs emitted to the atmosphere per volume of applied coating solids (N) is greater than the limit specified under § 60.312. If no such instances have occurred during a particular quarter, a report stating this shall be submitted to the Administrator semiannually. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, each owner or operator shall submit subsequent reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the

deadline specified in this subpart, regardless of the method in which the report is submitted.

(c) Following the initial performance test, the owner or operator of an affected facility shall identify, record, and submit, at the frequency and following the procedure specified in § 60.7(c), the following:

\* \* \* \* \*

(d) Each owner or operator subject to the provisions of this subpart shall maintain at the source, for a period of at least 2 years, records of all data and calculations used to determine VOC emissions from each affected facility. Where compliance is achieved through the use of thermal incineration, each owner or operator shall maintain, at the source, daily records of the incinerator combustion chamber temperature. If catalytic incineration is used, the owner or operator shall maintain at the source daily records of the gas temperature, both upstream and downstream of the incinerator catalyst bed. Where compliance is achieved through the use of a solvent recovery system, the owner or operator shall maintain at the source daily records of the amount of solvent recovered by the system for each affected facility. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This

ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

**Subpart GG—Standards of Performance for Stationary Gas Turbines**

43. Section 60.334 is amended by revising paragraph (j)(5) and adding paragraph (k) to read as follows:

**§ 60.334 Monitoring of operations.**

\* \* \* \* \*

(j) \* \* \*

(5) All reports required under § 60.7(c) shall be submitted in the manner required by § 60.7(c) by the 30th day following the end of each 6-month period.

(k) If under part 75 you are required to submit the results of a RATA to the Emissions Collection and Monitoring Plan System (ECMPS), then you are not required to comply with the requirement in § 60.13(c) to electronically submit the results of the performance evaluation for that CEMS to the Compliance and Emissions Data Reporting Interface (CEDRI).

**Subpart LL - Standards of Performance for Metallic Mineral Processing Plants**

44. Section 60.385 is amended by:

- a. Revising paragraph (a); and



b. Revising paragraphs (d) and (e).

The revisions read as follows:

**§ 60.385 Recordkeeping and reporting requirements.**

(a) The owner or operator subject to the provisions of this subpart shall conduct a performance test and submit a report of the results of the test following the procedure specified in § 60.8(a).

\* \* \* \* \*

(d) The reports required under paragraph (c) shall be postmarked within 30 days following the end of the second and fourth calendar quarters. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent reports shall be submitted electronically within 30 days following the end of the second and fourth calendar quarters. Each owner or operator shall submit such reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic->

reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(e) The requirements of this subsection remain in force until and unless the Environmental Protection Agency, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected sources within the State will be relieved of the obligation to comply with this subsection, provided that they comply with requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

**Subpart MM - Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations**

45. Section 60.395 is amended by revising paragraph (b) and paragraph (c) introductory text to read as follows:

**§ 60.395 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(b) Following the initial performance test, the owner or operator of an affected facility shall identify, record, and submit a written report to the Administrator every calendar quarter of each instance in which the volume-weighted average of the total mass of VOC's emitted to the atmosphere per volume of applied coating solids (N) is greater than the limit specified under § 60.392. If no such instances have occurred during a particular quarter, a report stating this shall be submitted to the Administrator semiannually. Where compliance is achieved through the use of a capture system and control device, the volume-weighted average after the control device should be reported. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, each owner or operator shall submit subsequent reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)).) The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web

site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(c) Where compliance with § 60.392 is achieved through the use of incineration, the owner or operator shall continuously record the incinerator combustion temperature during coating operations for thermal incineration or the gas temperature upstream and downstream of the incinerator catalyst bed during coating operations for catalytic incineration. The owner or operator shall submit, at the frequency and following the procedure specified in § 60.7(c), a report of the information defined below.

\* \* \* \* \*

**Subpart NN - Standards of Performance for Phosphate Rock Plants**

46. Section 60.403 is amended by revising paragraph (f) to read as follows:

**§ 60.403 Monitoring of emissions and operations.**

\* \* \* \* \*

(f) Any owner or operator subject to the requirements under paragraph (c) of this section shall report, at the frequency and

following the procedure specified in § 60.7(c), all measurement results that are less than 90 percent of the average levels maintained during the most recent performance test conducted under § 60.8 in which the affected facility demonstrated compliance with the standard under § 60.402.

**Subpart QQ—Standards of Performance for the Graphic Arts**

**Industry: Publication Rotogravure Printing**

47. Section 60.433 is amended by revising paragraph (e)(6) to read as follows:

**§ 60.433 Performance test and compliance provisions.**

\* \* \* \* \*

(e) \* \* \*

(6) The owner or operator of the existing facility (or facilities) shall submit, following the procedure specified in § 60.8(a), a report of the results of the emission test.

\* \* \* \* \*

**Subpart RR - Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations**

48. Section 60.447 is revised to read as follows:

**§ 60.447 Reporting requirements.**

(a) For all affected facilities subject to compliance with § 60.442, the performance test data and results from the

performance test shall be submitted as specified in § 60.8(a) of the General Provisions (40 CFR part 60, subpart A).

(b) Following the initial performance test, the owner or operator of each affected facility shall submit quarterly reports to the Administrator of exceedances of the VOC emission limits specified in § 60.442. If no such exceedances occur during a particular quarter, a report stating this shall be submitted to the Administrator semiannually. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent quarterly and semiannual reports shall be submitted to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the

deadline specified in this subpart, regardless of the method in which the report is submitted.

(c) The owner or operator of each affected facility shall also submit reports, at the frequency and following the procedure specified in § 60.7(c), when the incinerator temperature drops as defined under § 60.443(e). If no such periods occur, the owner or operator shall state this in the report.

(d) The requirements of this subsection remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected sources within the State will be relieved of the obligation to comply with this subsection, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

**Subpart SS - Standards of Performance for Industrial Surface Coating: Large Appliances**

49. Section 60.455 is amended by:

- a. Revising paragraph (b);
- b. Revising paragraph (c) introductory text; and
- c. Revising paragraph (d).

The revisions read as follows:

**§ 60.455 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(b) Following the initial performance test, the owner or operator of an affected facility shall identify, record, and submit a written report to the Administrator every calendar quarter of each instance in which the volume-weighted average of the total mass of VOC's emitted to the atmosphere per volume of applied coating solids (N) is greater than the limit specified under § 60.452. If no such instances have occurred during a particular quarter, a report stating this shall be submitted to the Administrator semiannually. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, subsequent quarterly and semiannual reports shall be submitted to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through



the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>).

The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site

(<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(c) Following the initial performance test, the owner or operator of an affected facility shall identify, record, and submit, at the frequency and following the procedure specified in § 60.7(c), the following:

\* \* \* \* \*

(d) Each owner or operator subject to the provisions of this subpart shall maintain at the source, for a period of at least 2 years, records of all data and calculations used to determine VOC emissions from each affected facility. Where compliance is achieved through the use of thermal incineration, each owner or operator shall maintain at the source daily records of the incinerator combustion chamber temperature. If

catalytic incineration is used, the owner or operator shall maintain at the source daily records of the gas temperature, both upstream and downstream of the incinerator catalyst bed. Where compliance is achieved through the use of a solvent recovery system, the owner or operator shall maintain at the source daily records of the amount of solvent recovered by the system for each affected facility. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

**Subpart TT - Standards of Performance for Metal Coil Surface Coating**

50. Section 60.465 is amended by revising paragraphs (c) through (e) to read as follows:

**§ 60.465 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(c) Following the initial performance test, the owner or operator of an affected facility shall identify, record, and submit a written report to the Administrator every calendar quarter of each instance in which the volume-weighted average of

the local mass of VOC's emitted to the atmosphere per volume of applied coating solids (N) is greater than the limit specified under § 60.462. If no such instances have occurred during a particular quarter, a report stating this shall be submitted to the Administrator semiannually. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, each owner or operator of an affected facility shall submit subsequent quarterly and semiannual reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(d) The owner or operator of each affected facility shall also submit reports, at the frequency and following the

procedure specified in § 60.7(c), when the incinerator temperature drops as defined under § 60.464(c). If no such periods occur, the owner or operator shall state this in the report.

(e) Each owner or operator subject to the provisions of this subpart shall maintain at the source, for a period of at least 2 years, records of all data and calculations used to determine monthly VOC emissions from each affected facility and to determine the monthly emission limit, where applicable. Where compliance is achieved through the use of thermal incineration, each owner or operator shall maintain, at the source, daily records of the incinerator combustion temperature. If catalytic incineration is used, the owner or operator shall maintain at the source daily records of the gas temperature, both upstream and downstream of the incinerator catalyst bed. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

**Subpart VV - Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for**

**which Construction, Reconstruction, or Modification Commenced  
After January 5, 1981, and on or Before November 7, 2006**

51. Section 60.486 is amended by revising paragraph (a)(1) to read as follows:

**§ 60.486 Recordkeeping requirements.**

(a)(1) Each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section. Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

\* \* \* \* \*

52. Section 60.487 is amended by revising paragraphs (a) and (f) to read as follows:

**§ 60.487 Reporting requirements.**

(a) Each owner or operator subject to the provisions of this subpart shall submit semiannual reports to the Administrator beginning six months after the initial startup date. Beginning on **[insert date 2 years after date of publication**

**in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, each owner or operator shall submit subsequent semiannual reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>.) The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

\* \* \* \* \*

(f) The requirements of paragraphs (a) through (c) of this section remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with the requirements of paragraphs (a)

through (c) of this section, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

**Subpart VVa - Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006**

53. Section 60.486a is amended by revising paragraph (a)(1) to read as follows:

**§ 60.486a Recordkeeping requirements.**

(a)(1) Each owner or operator subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section. Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a

delegated air agency or the EPA as part of an onsite compliance evaluation.

\* \* \* \* \*

54. Section 60.487a is amended by revising paragraphs (a) and (f) to read as follows:

**§ 60.487a Reporting requirements.**

(a) Each owner or operator subject to the provisions of this subpart shall submit semiannual reports to the Administrator beginning 6 months after the initial startup date. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, each owner or operator shall submit subsequent semiannual reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the



deadline specified in this subpart, regardless of the method in which the report is submitted.

\* \* \* \* \*

(f) The requirements of paragraphs (a) through (c) of this section remain in force until and unless the EPA, in delegating enforcement authority to a state under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such state. In that event, affected sources within the state will be relieved of the obligation to comply with the requirements of paragraphs (a) through (c) of this section, provided that they comply with the requirements established by the state. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

**Subpart WW - Standards of Performance for the Beverage Can Surface Coating Industry**

55. Section 60.495 is amended by:

- a. Revising paragraph (b);
- b. Revising paragraph (c) introductory text; and

c. Revising paragraphs (d) and (e).

The revisions read as follows:

**§ 60.495 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(b) Following the initial performance test, each owner or operator shall identify, record, and submit quarterly reports to the Administrator of each instance in which the volume-weighted average of the total mass of VOC per volume of coating solids, after the control device, if capture devices and control systems are used, is greater than the limit specified under § 60.492. If no such instances occur during a particular quarter, a report stating this shall be submitted to the Administrator semiannually. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, each owner or operator shall submit subsequent reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air->

emissions/compliance-and-emissions-data-reporting-interface-cedri). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(c) Following the initial performance test, the owner or operator of an affected facility shall identify, record, and submit, at the frequency and following the procedure specified in § 60.7(c), the following:

\* \* \* \* \*

(d) Each owner or operator subject to the provisions of this subpart shall maintain at the source, for a period of at least 2 years, records of all data and calculations used to determine VOC emissions from each affected facility in the initial and monthly performance tests. Where compliance is achieved through the use of thermal incineration, each owner or operator shall maintain, at the source, daily records of the incinerator combustion chamber temperature. If catalytic incineration is used, the owner or operator shall maintain at the source daily records of the gas temperature, both upstream and downstream of the incinerator catalyst bed. Where compliance is achieved through the use of a solvent recovery system, the owner or operator shall maintain at the source daily records of

the amount of solvent recovered by the system for each affected facility. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

(e) The requirements of this section remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected facilities within the State will be relieved of the obligation to comply with this subsection, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

**Subpart AAA - Standards of Performance for New Residential Wood Heaters**

56. Section 60.539b is amended by revising paragraph (b) to read as follows:

**§ 60.539b What parts of the General Provisions do not apply to me?**

\* \* \* \* \*

(b) Section 60.8(a), (c), (d), (e), (f), (g) and (j);

\* \* \* \* \*

**Subpart BBB - Standards of Performance for the Rubber Tire Manufacturing Industry**

57. Section 60.545 is amended by adding paragraph (g) to read as follows:

**§ 60.545 Recordkeeping requirements.**

\* \* \* \* \*

(g) Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

58. Section 60.546 is amended by:

- a. Revising paragraph (c) introductory text;
- b. Revising paragraph (f) introductory text;
- c. Revising paragraph (g);
- d. Revising paragraph (j); and
- e. Adding paragraph (k).

The revisions and addition read as follows:

**§ 60.546 Reporting requirements.**

\* \* \* \* \*

(c) Each owner or operator subject to the provisions of this subpart shall submit, following the procedure specified in § 60.8(j), the results of all initial performance tests and the results of the performance tests required under § 60.543 (b)(2) and (3). The following data shall be included in the report for each of the above performance tests:

\* \* \* \* \*

(f) Once every 6 months each owner or operator subject to the provisions of § 60.545 shall report the information in paragraphs (f)(1) through (6) as applicable. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (k) of this section.

\* \* \* \* \*

(g) The requirements for semiannual reports remain in force until and unless the EPA, in delegating enforcement authority to a State under Section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected facilities within the State will be relieved of the obligation to comply with these requirements, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

\* \* \* \* \*

(j) The owner or operator of each tread end cementing operation and each green tire spraying (inside and/or outside) operation using water-based sprays containing less than 1.0 percent, by weight, of VOC as described in § 60.543(b)(1) shall furnish the Administrator, within 60 days initially and annually thereafter, formulation data or Method 24 results to verify the VOC content of the water-based sprays in use. If the spray

formulation changes before the end of the 12-month period, formulation data or Method 24 results to verify the VOC content of the spray shall be reported within 30 days of the change. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports of these data following the procedure specified in paragraph (k) of this section.

(k) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.



59. Section 60.548 is amended by revising paragraph (b) to read as follows:

**§ 60.548 Delegation of authority.**

\* \* \* \* \*

(b) Authority which will not be delegated to States: § 60.543(c)(2)(ii)(B) and approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart DDD - Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry**

60. Section 60.565 is amended by:

- a. Revising paragraph (a) introductory text;
- b. Revising paragraph (b)(1);
- c. Revising paragraph (k) introductory text;
- d. Revising paragraph (m); and
- e. Adding paragraphs (n) and (o).

The revisions and additions read as follows:

**§ 60.565 Reporting and recordkeeping requirements.**

(a) Each owner or operator subject to the provisions of this subpart shall keep an up-to-date, readily-accessible record of the following information measured during each performance test and include the following information in the report of the initial performance test, submitted following the procedure in § 60.8(a), in addition to the results of such performance tests.

Where a control device is used to comply with § 60.562-1(a)(1)(i)(D) only, a report containing performance test data need not be submitted, but a report containing the information in § 60.565(a)(11) is required. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (n) of this section. Where a boiler or process heater with a design heat input capacity of 150 million Btu/hour or greater is used to comply with § 60.562-1(a), a report containing performance test data need not be submitted, but a report containing the information in § 60.565(a)(2)(i) is required. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (n) of this section. The same information specified in this section shall be submitted, following the procedure specified in § 60.8(a), in the reports of all subsequently required performance tests where either the emission control efficiency of a combustion device or the outlet concentration of TOC (minus methane and ethane) is determined.

\* \* \* \* \*

(b)(1) Each owner or operator subject to the provisions of this subpart shall submit an engineering report describing in detail the vent system used to vent each affected vent stream to a control device. This report shall include all valves and vent pipes that could vent the stream to the atmosphere, thereby bypassing the control device, and identify which valves are car-sealed opened and which valves are car-sealed closed. Unless the owner or operator submits an initial performance test electronically to the EPA via the EPA's Central Data Exchange (CDX) or if the owner or operator is complying with § 60.562-1(a)(1)(i)(D), the engineering report shall be submitted with the initial performance test. If the owner or operator submits an initial performance test electronically to the EPA's CDX or if the owner or operator is complying with § 60.562-1(a)(1)(i)(D), the engineering report shall be submitted as a separate report to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

\* \* \* \* \*

(k) Each owner or operator that seeks to comply with the requirements of this subpart by complying with the uncontrolled threshold emission rate cutoff provision of §§ 60.560 (d) and

(e), the individual stream exemptions of § 60.560(g), or the requirements of § 60.562-1 shall submit to the Administrator semiannual reports of the following recorded information, as applicable. The initial report must be submitted within 6 months after the initial start-up date. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (n) of this section.

\* \* \* \* \*

(m) The requirements of this subsection remain in force until and unless EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves alternative reporting requirements or means of compliance surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with this subsection, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected

facilities of the requirement to submit the electronic reports required in this section to the EPA.

(n) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(o) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an onsite compliance evaluation.

61. Section 60.566 is amended by revising paragraph (b) to read as follows:

**§ 60.566 Delegation of authority.**

\* \* \* \* \*

(b) Authority which will not be delegated to States: § 60.562-2(c) and approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart FFF - Standards of Performance for Flexible Vinyl and Urethane Coating and Printing**

62. Section 60.585 is amended by:

- a. Revising paragraph (a); and
- b. Revising paragraphs (c) and (d).

The revisions read as follows:

**§ 60.585 Reporting requirements.**

(a) For all affected facilities subject to compliance with § 60.582, the performance test data and results from the performance test shall be submitted as specified in § 60.8(j).

\* \* \* \* \*

(c) The reports required under paragraph (b) of this section shall be submitted electronically within 30 days following the end of the second and fourth calendar quarters. Each owner or operator shall submit such reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI).

(CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the owner or operator shall submit the report to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method. Once the form has been available in CEDRI for 1 year, the owner or operator must submit all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(d) The requirements of this subsection remain in force until and unless the Environmental Protection Agency, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected sources within the State will be

relieved of the obligation to comply with this subsection, provided that they comply with requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

**Subpart HHH - Standards of Performance for Synthetic Fiber Production Facilities**

63. Section 60.604 is amended by:

- a. Revising paragraph (a) introductory text;
- b. Revising paragraph (a)(2);
- c. Revising paragraphs (b) and (c); and
- d. Adding paragraph (d).

The revisions and addition read as follows:

**§ 60.604 Reporting requirements.**

(a) The owner or operator of an affected facility shall submit reports of the following:

\* \* \* \* \*

(2) The results of subsequent performance tests that indicate that VOC emissions exceed the standards in § 60.602. These reports shall be submitted, following the procedure



specified in § 60.8(a), quarterly at 3-month intervals after the initial performance test. If no exceedances occur during a particular quarter, a report stating this shall be submitted to the Administrator semiannually. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (d) of this section.

(b) Solvent-spun synthetic fiber producing facilities exempted from these standards in § 60.600(a) (those producing less than 500 Mg (551 ton) annually) shall report to the Administrator within 30 days whenever extruded fiber for the preceding 12 calendar months exceeds 500 Mg (551 ton). Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (d) of this section.

(c) The requirements of this section remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternate means of compliance

surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with this section, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

(d) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted

by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

**Subpart III - Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes**

64. Section 60.615 is amended by:

- a. Revising paragraph (b) introductory text;
- b. Revising paragraph (j) introductory text;
- c. Revising paragraph (k); and
- d. Adding paragraphs (m) and (n).

The revisions and additions read as follows:

**§ 60.615 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(b) Each owner or operator subject to the provisions of this subpart shall keep up-to-date, readily accessible records of the following data measured during each performance test and also include the following data in the report of the initial performance test required under § 60.8. Where a boiler or process heater with a design heat input capacity of 44 MW (150 million Btu/hour) or greater is used to comply with § 60.612(a), a report containing performance test data need not be submitted, but a report containing the information of § 60.615(b)(2)(i) is required. Beginning on **[insert date 2 years after date of**

**publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (m) of this section. The same data specified in this section shall be submitted, following the procedure specified in § 60.8(a), in the reports of all subsequently required performance tests where either the emission control efficiency of a control device, outlet concentration of TOC, or the TRE index value of a vent stream from a recovery system is determined.

\* \* \* \* \*

(j) Each owner or operator that seeks to comply with the requirements of this subpart by complying with the requirements of § 60.612 shall submit to the Administrator semiannual reports of the following information. The initial report shall be submitted within 6 months after the initial start-up-date. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (m) of this section.

\* \* \* \* \*

(k) The requirements of § 60.615(j) remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with § 60.615(j), provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

\* \* \* \* \*

(m) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema

listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(n) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained electronically. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

**Subpart LLL - Standards of Performance for SO<sub>2</sub> Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011**

65. Section 60.647 is amended by:

- a. Revising paragraph (a);
- b. Revising paragraph (b) introductory text; and
- c. Revising paragraph (e).

The revisions read as follows:

**§ 60.647 Recordkeeping and reporting requirements.**

(a) Records of the calculations and measurements required in § 60.642(a) and (b) and § 60.646(a) through (g) must be retained for at least 2 years following the date of the measurements by owners and operators subject to this subpart. This requirement is included under § 60.7(d) of the General Provisions. Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

(b) Each owner or operator shall submit, following the procedure specified in § 60.7(c), a report of excess emissions semiannually. For the purpose of these reports, excess emissions are defined as:

\* \* \* \* \*

(e) The requirements of paragraph (b) of this section remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that

event, affected sources within the State will be relieved of obligation to comply with paragraph (b) of this section, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

**Subpart NNN - Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations**

66. Section 60.665 is amended by:

- a. Revising paragraph (b) introductory text;
- b. Revising paragraph (l) introductory text;
- c. Revising paragraph (m); and
- d. Adding paragraphs (q) and (r).

The revisions and additions read as follows:

**§ 60.665 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(b) Each owner or operator subject to the provisions of this subpart shall keep an up-to-date, readily accessible record



of the following data measured during each performance test, and also include the following data in the report of the initial performance test required under § 60.8. Where a boiler or process heater with a design heat input capacity of 44 MW (150 million Btu/hour) or greater is used to comply with § 60.662(a), a report containing performance test data need not be submitted, but a report containing the information in paragraph (b)(2)(i) of this section is required. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (q) of this section. The same data specified in this section shall be submitted, following the procedure specified in § 60.8(a), in the reports of all subsequently required performance tests where either the emission control efficiency of a control device, outlet concentration of TOC, or the TRE index value of a vent stream from a recovery system is determined.

\* \* \* \* \*

(1) Each owner or operator that seeks to comply with the requirements of this subpart by complying with the requirements of § 60.660(c)(4), (5), or (6) or § 60.662 shall submit to the Administrator semiannual reports of the following recorded

information. The initial report shall be submitted within 6 months after the initial start-up date. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (q) of this section.

\* \* \* \* \*

(m) The requirements of § 60.665(l) remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected sources within the State will be relieved of the obligation to comply with paragraph (l) of this section, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

\* \* \* \* \*

(q) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(r) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained electronically. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

67. Section 60.668 is amended by revising paragraph (b) to read as follows:

**§ 60.668 Delegation of authority.**

\* \* \* \* \*

(b) Authorities which will not be delegated to States: § 60.663(e) and approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants**

68. Section 60.676 is amended by:

- a. Revising paragraphs (e) and (f);
- b. Revising paragraphs (j) and (k); and
- c. Adding paragraph (l).

The revisions and addition read as follows:

**§ 60.676 Reporting and recordkeeping.**

\* \* \* \* \*

(e) The reports required under paragraph (d) of this section shall be postmarked within 30 days following the end of the second and fourth calendar quarters. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports electronically within 30 days following the end of the second and fourth calendar quarters to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI).

(CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(f) The owner or operator of any affected facility shall submit, following the procedure specified in § 60.8(a), reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in § 60.672 of this subpart, including reports of opacity observations made using Method 9 (40 CFR part 60, Appendix A-4) to demonstrate compliance with § 60.672(b), (e) and (f).

\* \* \* \* \*

(j) The requirements of this section remain in force until and unless the Environmental Protection Agency, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative

means of compliance surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

(k) Except for the reports required to be electronically submitted to the EPA's CDX, as identified in this section, notifications and reports required under this subpart and under subpart A of this part to demonstrate compliance with this subpart need only to be sent to the EPA Region or the State which has been delegated authority according to § 60.4(b). Reports required to be electronically submitted to the EPA's CDX may not be exempted from Federal electronic reporting requirements.

(l) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained electronically. This ability to maintain electronic

copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

69. Amend Table 1 to Subpart 000 by revising entry "60.4, Address" to read as follows:

**Table 1 to Subpart 000—Exceptions to Applicability of Subpart A to Subpart 000**

Subpart A reference	Applies to subpart 000	Explanation
60.4, Address	Yes	Except in § 60.4(a) and (b) submittals that are not submitted to the EPA's CDX need only be sent to the EPA Region or the State which has been delegated authority (§ 60.676(k)).
* * *	* * *	* * *

**Subpart PPP - Standard of Performance for Wool Fiberglass**

**Insulation Manufacturing Plants**

70. Section 60.684 is amended by:

- a. Revising paragraphs (d) and (e); and
- b. Adding paragraph (f).

The revisions and addition read as follows:

**§ 60.684 Recordkeeping and reporting requirements.**

\* \* \* \* \*

(d) Each owner or operator shall submit written semiannual reports of exceedances of control device operating parameters

required to be monitored by paragraphs (a) and (b) of this section and written documentation of, and a report of corrective maintenance required as a result of, quarterly calibrations of the monitoring devices required in § 60.683(c). For the purpose of these reports, exceedances are defined as any monitoring data that are less than 70 percent of the lowest value or greater than 130 percent of the highest value of each operating parameter recorded during the most recent performance test.

Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, each owner or operator shall submit subsequent reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI).

(CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the



deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(e) The requirements of this section remain in force until and unless the Environmental Protection Agency, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected facilities within the State will be relieved of the obligation to comply with this section, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

(f) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained electronically. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

**Subpart QQQ - Standards of Performance for VOC Emissions From  
Petroleum Refinery Wastewater Systems**

71. Section 60.697 is amended by revising paragraph (a) to read as follows:

**§ 60.697 Recordkeeping requirements.**

(a) Each owner or operator of a facility subject to the provisions of this subpart shall comply with the recordkeeping requirements of this section. All records shall be retained for a period of 2 years after being recorded unless otherwise noted. Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

\* \* \* \* \*

72. Section 60.698 is amended by:

- a. Revising paragraph (b)(1);
- b. Revising paragraph (c);
- c. Revising paragraph (d) introductory text; and
- d. Adding paragraph (f).

The revisions and addition read as follows:

**§ 60.698 Reporting requirements.**

\* \* \* \* \*

(b)(1) Each owner or operator of a facility subject to this subpart shall submit to the Administrator within 60 days after initial startup a certification that the equipment necessary to comply with these standards has been installed and that the required initial inspections or tests of process drains, sewer lines, junction boxes, oil-water separators, and closed vent systems and control devices have been carried out in accordance with these standards. Thereafter, the owner or operator shall submit to the Administrator semiannually a certification that all of the required inspections have been carried out in accordance with these standards. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent certifications following the procedure specified in paragraph (f) of this section.

\* \* \* \* \*

(c) A report that summarizes all inspections when a water seal was dry or otherwise breached, when a drain cap or plug was missing or improperly installed, or when cracks, gaps, or other problems were identified that could result in VOC emissions,

including information about the repairs or corrective action taken, shall be submitted initially and semiannually thereafter to the Administrator. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (f) of this section

(d) As applicable, a report shall be submitted semiannually to the Administrator that indicates the information outlined in paragraphs (d)(1) through (3) of this section. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (f) of this section

\* \* \* \* \*

(f) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in

CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

73. Section 60.699 is amended by revising paragraph (b) to read as follows:

**§ 60.699 Delegation of authority.**

\* \* \* \* \*

(b) Authorities which will not be delegated to States:

(1) § 60.694 Permission to use alternative means of emission limitations.

(2) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart RRR—Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes**

74. Section 60.705 is amended by:

- a. Revising paragraph (b) introductory text;
- b. Revising paragraph (l) introductory text;

- c. Revising paragraph (m);
- d. Revising paragraph (p); and
- e. Adding paragraphs (u) and (v).

The revisions and additions read as follows:

**§ 60.705 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(b) Each owner or operator subject to the provisions of this subpart shall keep an up-to-date, readily accessible record of the following data measured during each performance test, and also include the following data in the report of the initial performance test required under § 60.8. Where a boiler or process heater with a design heat input capacity of 44 MW (150 million Btu/hour) or greater is used or where the reactor process vent stream is introduced as the primary fuel to any size boiler or process heater to comply with § 60.702(a), a report containing performance test data need not be submitted, but a report containing the information in paragraph (b)(2)(i) of this section is required. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (u) of this section. The same data specified in this section shall be

submitted, following the procedure specified in § 60.8(a), in the reports of all subsequently required performance tests where either the emission control efficiency of a combustion device, outlet concentration of TOC, or the TRE index value of a vent stream from a recovery system is determined.

\* \* \* \* \*

(l) Each owner or operator that seeks to comply with the requirements of this subpart by complying with the requirements of § 60.700 (c)(2), (c), or (c) or § 60.702 shall submit to the Administrator semiannual reports of the following recorded information. The initial report shall be submitted within 6 months after the initial start-up date. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (u) of this section.

\* \* \* \* \*

(m) The requirements of § 60.705(1) remain in force until and unless EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected sources within

the State will be relieved of the obligation to comply with § 60.705(1), provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

\* \* \* \* \*

(p) Each owner or operator that seeks to demonstrate compliance with § 60.700(c)(8) must submit, following the procedure specified in § 60.8(a), an initial report including a concentration measurement using the test method specified in § 60.704.

\* \* \* \* \*

(u) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format



consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the owner or operator must submit the report to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method. Once the form has been available in CEDRI for 1 year, the owner or operator must submit all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(v) Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained electronically. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

75. Section 60.708 is amended by revising paragraph (b) to read as follows:

**§ 60.708 Delegation of authority.**

\* \* \* \* \*

(b) Authorities which will not be delegated to States: § 60.703(e) and approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart SSS - Standards of Performance for Magnetic Tape Coating Facilities**

76. Section 60.717 is amended by:

- a. Revising paragraph (a);
- b. Revising paragraph (c);
- c. Revising paragraph (d) introductory text;
- d. Revising paragraph (e);
- e. Revising paragraphs (h) and (i); and
- f. Adding paragraph (j).

The revisions and addition read as follows:

**§ 60.717 Reporting and monitoring requirements.**

(a) For all affected coating operations subject to § 60.712(a), (b)(1), (2), or (3) and all affected coating mix preparation equipment subject to § 60.712(c), the performance test data and results shall be submitted following the procedure specified in § 60.8(a) of the General Provisions (40 CFR part 60, subpart A). In addition, the average values of the monitored parameters measured at least every 15 minutes and averaged over

the period of the performance test shall be submitted with the results of all performance tests.

\* \* \* \* \*

(c) Each owner or operator of an affected coating operation initially utilizing less than the applicable volume of solvent specified in § 60.710(b) per calendar year shall report the first calendar year in which actual annual solvent use exceeds the applicable volume. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports of this information following the procedure specified in paragraph (j) of this section.

(d) Each owner or operator of an affected coating operation, or affected coating mix preparation equipment subject to § 60.712(c), shall submit semiannual reports to the Administrator documenting the following. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (j) of this section.

\* \* \* \* \*

(e) Each owner or operator of an affected coating operation, or affected coating mix preparation equipment subject to § 60.712(c), not required to submit reports under paragraph (d) of this section because no reportable periods have occurred shall submit semiannual reports so affirming. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (j) of this section.

\* \* \* \* \*

(h) The reports required under paragraphs (b) through (e) of this section shall be postmarked, when paper submission is required, or submitted electronically, when electronic submission is required, within 30 days of the end of the reporting period.

(i) The requirements of this subsection remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In this event, affected sources within the State will be relieved of the obligation to comply with this subsection, provided that they comply with the

requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

(j) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

77. Section 60.718 is amended by revising paragraph (b) to read as follows:

**§ 60.718 Delegation of authority.**

\* \* \* \* \*

(b) Authorities which will not be delegated to States:

§ 60.711(a)(16)

§ 60.713(b)(1)(i)

§ 60.713(b)(1)(ii)

§ 60.713(b)(5)(i)

§ 60.713(d)

§ 60.715(a)

§ 60.716

Approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart TTT - Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines**

78. Section 60.724 is amended by:

- a. Revising paragraph (b) introductory text; and
- b. Revising paragraphs (c) and (d).

The revisions read as follows:

**§ 60.724 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(b) Following the initial report, each owner or operator must submit the information specified in paragraphs (b)(1) and (2) of this section. Beginning on **[insert date 2 years after**

**date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports of this information to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)).

The owner or operator must use the appropriate electronic report in CEDRI for this subpart or provide an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site

(<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

\* \* \* \* \*

(c) These reports shall be submitted not later than 10 days after the end of the periods specified in paragraph (b)(1) and (2).

(d) Each owner or operator subject to the provisions of this subpart shall maintain at the source, for a period of at least 2 years, records of all data and calculations used to

determine monthly VOC emissions from each coating operation for each affected facility as specified in 40 CFR 60.7(d). Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

\* \* \* \* \*

79. Section 60.726 is amended to revise paragraph (b) to read as follows:

**§ 60.726 Delegation of authority.**

\* \* \* \* \*

(b) Authorities which will not be delegated to the States:

Section 60.723(b)(1)

Section 60.723(b)(2)(i)(C)

Section 60.723(b)(2)(iv)

Section 60.724(e)

Section 60.725(b)

Approval of an alternative to any electronic reporting to the EPA required by this subpart.



**Subpart UUU - Standards of Performance for Calciners and Dryers  
in Mineral Industries**

80. Section 60.735 is amended by:

- a. Revising paragraph (a);
- b. Revising paragraph (c) introductory text; and
- c. Revising paragraph (d).

The revisions read as follows:

**§ 60.735 Recordkeeping and reporting requirements.**

(a) Records of the measurements required in § 60.734 of this subpart shall be retained for at least 2 years. Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

\* \* \* \* \*

(c) Each owner or operator shall submit written reports of exceedances of control device operating parameters required to be monitored by § 60.734 of this subpart. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1

year, whichever is later, the owner or operator shall submit subsequent reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator shall use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. For the purpose of these reports, exceedances are defined as follows:

\* \* \* \* \*

(d) The requirements of this section remain in force until and unless the Environmental Protection Agency, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such State. In that event, affected facilities within the State will be relieved of the obligation to comply with this section provided that they

comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

81. Section 60.737 is amended by revising paragraph (b) to read as follows:

**§ 60.737 Delegation of authority.**

\* \* \* \* \*

(b) Authorities which will not be delegated to States:  
Approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart VVV - Standards of Performance for Polymeric Coating of Supporting Substrates Facilities**

82. Section 60.741, Table 1B is amended by:

- a. Revising the entries for A.(a)(1) through A.(a)(4);
- b. Revising the entry for A.(b); and
- c. Revising the entry for B.(c).

The revisions read as follows:

**§ 60.741 Definitions, symbols, and cross-reference tables.**

\* \* \* \* \*

Table 1B. Cross Reference

Compliance provisions—§ 60.743	Test methods—§ 60.745	Category/equipment <sup>a</sup>	Monitoring requirements—§ 60.744	Reporting and recordkeeping requirements—§ 60.747
A. Coating operation:				
(a)(1)—Gaseous emission test for coating operations not using carbon adsorption beds with individual exhausts	(b)-(g)	General, CA, CO, TI, CI, PE, TE	(a), (i), (j), (k), (c)(1), (d), (e), (f), (g)	(a), (d)(7), (f), (g), (h), (d)(1)(i), (d)(2)(i), (d)(3), (d)(4), (d)(5), (d)(6), (j).
(a)(2)—Gaseous emission test for coating operations using carbon adsorption beds with individual exhausts	(b)-(g)	General, CA, PE, TE	(a), (i), (j), (k), (c)(2), (g)	(a), (d)(7), (f), (g), (h), (d)(1)(ii), (d)(2)(ii), (d)(6), (j).
(a)(3)—Monthly liquid material balance—can be used only when a VOC recovery device controls only those emissions from one affected coating operation	(a)	VOC recovery	(i), (k)	(e), (f), (g), (h), (j).
(a)(4)—Short-term (3 to 7 day) liquid material balance—may be used as an alternative to (a)(3)	(a)	General, CA, CO, PE, TE	(a), (i), (j), (k), (c)(1), (c)(2), (d), (g)	(a), (d)(7), (f), (g), (h), (d)(1), (d)(2), (d)(3), (d)(6), (j).
(b)—Alternative standard for coating operation—demonstrate use of approved total enclosure and emissions vented to a 95 percent	(b)-(g)	General, CA, CO, TI, CI, PE, TE	(a), (i), (j), (k), (c)(1), (c)(2), (d), (e), (f), (h)	(a), (d)(7), (f), (g), (h), (d)(1), (d)(2), (d)(3), (d)(4), (d)(5), (d)(6), (j).

efficient control device				
B. Coating mix preparation equipment:				
(c)–Standard for equipment servicing a coating operation with concurrent construction of a control device that uses at least 130 Mg/yr of VOC– demonstrate that covers meeting specifications are installed and used properly; procedures detailing proper use are posted; the mix equipment is vented to a 95 percent efficient control device	(b)–(g)	General, CA, TI, CI	(a), (i), (j), (k), (c)(1), (c)(2), (e), (f)	(a), (d)(7), (f), (g), (h), (d)(1), (d)(2), (d)(4), (d)(5), (j).
* * *	* * *	* * *	* * *	

\* \* \* \* \*

83. Section 60.747 is amended by:

- a. Revising paragraphs (c)(2) and (3);
- b. Revising paragraph (d) introductory text;
- c. Revising paragraph (e) introductory text;
- d. Revising paragraphs (g) through (i); and
- e. Adding paragraph (j).

The revisions and addition read as follows:

**§ 60.747 Reporting and recordkeeping requirements.**

\* \* \* \* \*

(c) \* \* \*

(2) Report the first semiannual estimate in which projected annual VOC use exceeds the applicable cutoff. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (j) of this section; and

(3) Report the first 12-month period in which the actual VOC use exceeds the applicable cutoff. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (j) of this section.

(d) Each owner or operator of an affected facility demonstrating compliance by the methods described in § 60.743(a)(1), (2), (4), (b), or (c) shall maintain records and submit quarterly reports to the Administrator documenting the following. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form

has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (j) of this section.

\* \* \* \* \*

(e) Each owner or operator of an affected coating operation, demonstrating compliance by the test methods described in § 60.743(a)(3) (liquid-liquid material balance) shall submit the following. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (j) of this section.

\* \* \* \* \*

(g) The reports required under paragraphs (b), (c), (d), and (e) of this section shall be submitted electronically and-or postmarked within 30 days of the end of the reporting period.

(h) Records required in this section must be retained for at least 2 years. Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities

to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

(i) The requirements of this section remain in force until and unless the EPA, in delegating enforcement authority to a State under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In this event, affected sources within the State will be relieved of the obligation to comply with this subsection, provided that they comply with the requirements established by the State. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

(j) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). The owner or operator must use the appropriate electronic report in



CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

84. Section 60.748 is amended by revising paragraph (b) to read as follows:

**§ 60.748 Delegation of authority.**

\* \* \* \* \*

(b) Authorities that will not be delegated to States: §§ 60.743(a)(3)(v) (A) and (B); 60.743(e); 60.745(a); 60.746; and approval of an alternative to any electronic reporting to the EPA required by this subpart.

**Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills**

85. Section 60.750 is amended by revising paragraph (b) to read as follows:

**§ 60.750 Applicability, designation of affected facility, and delegation of authority.**

\* \* \* \* \*

(b) The following authorities shall be retained by the Administrator and not transferred to the State: § 60.754(a)(5) and approval of an alternative to any electronic reporting to the EPA required by this subpart.

\* \* \* \* \*

86. Section 60.757 is amended by:

- a. Revising paragraphs (b) introductory text;
- b. Revising paragraph (b)(1)(i) introductory text;
- c. Revising paragraph (b)(1)(ii);
- d. Revising paragraphs (c)(1) and (2);
- e. Revising paragraphs (e)(1)(ii) and (iii);
- f. Revising paragraph (f) introductory text; and
- g. Adding paragraph (h).

The revisions and addition read as follows:

**§ 60.757 Reporting requirements.**

\* \* \* \* \*

(b) Each owner or operator subject to the requirements of this subpart shall submit an NMOC emission rate report to the Administrator initially and annually thereafter, except as provided for in paragraphs (b)(1)(ii) or (b)(3) of this section. The Administrator may request such additional information as may be necessary to verify the reported NMOC emission rate. Beginning on **[insert date 2 years after date of publication in**

**the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (h) of this section.

(1) \* \* \*

(i) The initial NMOC emission rate report shall be submitted no later than indicated in paragraphs (b)(1)(i)(A) and (B) of this section. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in paragraphs (b)(1)(ii) and (b)(3) of this section.

\* \* \* \* \*

(ii) If the estimated NMOC emission rate as reported in the annual report to the Administrator is less than 50 megagrams per year in each of the next 5 consecutive years, the owner or operator may elect to submit an estimate of the NMOC emission rate for the next 5-year period in lieu of the annual report. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports of this information following the procedure specified in paragraph (h) of this section. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each

year of the 5 years for which an NMOC emission rate is estimated. All data and calculations upon which this estimate is based shall be provided to the Administrator. This estimate shall be revised at least once every 5 years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the 5-year estimate, a revised 5-year estimate shall be submitted to the Administrator. The revised estimate shall cover the 5-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate.

\* \* \* \* \*  
(c) \* \* \*

(1) If the owner or operator elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis as provided in § 60.754(a)(3) and the resulting rate is less than 50 megagrams per year, annual periodic reporting shall be resumed, using the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 50 megagrams per year or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, shall be submitted within 180 days of the first calculated exceedance of 50 megagrams per year. Beginning on **[insert date 2 years after**

**date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (h) of this section.

(2) If the owner or operator elects to recalculate the NMOC emission rate after determining a site-specific methane generation rate constant (k), as provided in Tier 3 in § 60.754(a)(4), and the resulting NMOC emission rate is less than 50 Mg/yr, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of § 60.754(a)(4) and the resulting site-specific methane generation rate constant (k) shall be submitted to the Administrator within 1 year of the first calculated emission rate exceeding 50 megagrams per year. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (h) of this section.

\* \* \* \* \*

(e) \* \* \*

(1) \* \* \*

(ii) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired, unless the report of the results of the performance test has been submitted to the EPA via the EPA's Central Data Exchange (CDX). In the equipment removal report, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted may be submitted in lieu of the performance test report if the report has been previously submitted to the EPA's CDX; and

(iii) Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year, unless the NMOC emission rate reports have been submitted to the EPA via the EPA's CDX. If the NMOC emission rate reports have been previously submitted to the EPA's CDX, a statement that the NMOC emission rate reports have been submitted electronically and the dates that the reports were submitted to the EPA's CDX may be submitted in the equipment removal report in lieu of the NMOC emission rate reports.

\* \* \* \* \*

(f) Each owner or operator of a landfill seeking to comply with § 60.752(b)(2) using an active collection system designed in accordance with § 60.752(b)(2)(ii) shall submit to the Administrator annual reports of the recorded information in (f)(1) through (6) of this paragraph. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, the owner or operator shall submit subsequent reports following the procedure specified in paragraph (h) of this section. The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system. The initial annual report shall include the following information pertaining to the initial performance test report required under § 60.8: the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted. The initial performance test report shall be submitted, following the procedure specified in § 60.8(a), no later than the date that the initial annual report is submitted. For enclosed combustion devices and flares, reportable exceedances are defined under § 60.758(c).

\* \* \* \* \*

(h) Each owner or operator required to submit reports following the procedure specified in this paragraph must submit

reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>.) The owner or operator must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

87. Section 60.758 is amended by adding paragraph (g) to read as follows:

**§ 60.758 Recordkeeping requirements.**

\* \* \* \* \*

(g) Any records required to be maintained by this subpart that are submitted electronically via the EPA's Compliance and Emissions Data Reporting Interface (CEDRI) may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.



**Subpart AAAA - Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001**

88. Section 60.1030 is revised to read as follows:

**§ 60.1030 Can the Administrator delegate authority to enforce these Federal new source performance standards to a State agency?**

Yes, the Administrator can delegate all authorities in all sections of this subpart, except approval of an alternative to any electronic reporting to the EPA required by this subpart, to the State for direct State enforcement.

89. Section 60.1385 is revised to read as follows:

**§ 60.1385 What reports must I submit after I submit my notice of construction and in what form?**

(a) Submit an initial report and annual reports, plus semiannual reports for any emission or parameter level that does not meet the limits specified in this subpart. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, submit subsequent initial, annual and semiannual reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be

accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>.) You must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(b) Prior to **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, submit all reports on paper, postmarked on or before the submittal dates in §§ 60.1395, 60.1405, and 60.1420. If the Administrator agrees, you may submit electronic reports. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, submit all subsequent reports electronically on or before the submittal dates in §§ 60.1395, 60.1405, and 60.1420.

(c) Keep a copy of all reports required by §§ 60.1400, 60.1410, and 60.1425 onsite for 5 years. Records for any report that is submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

90. Section 60.1400 is amended by revising paragraphs (c) and (d) to read as follows:

**§ 60.1400 What must I include in my initial report?**

\* \* \* \* \*

(c) For each initial performance test conducted during the reporting period, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted. Submit, following the procedure specified in § 60.8(a), the results of the initial performance test (including supporting calculations) required by this subpart no later than the date that you submit the initial report.

(d) For the initial performance evaluation of your continuous emissions monitoring system (CEMS), the process unit where the CEMS is installed, the pollutant the CEMS measures, and the date that the performance evaluation was conducted. Use

the applicable performance specifications in appendix B of this part in conducting the evaluation. Submit the results of the initial performance evaluation of your CEMS, following the procedure specified in § 60.13(c)(2), no later than the date that you submit the initial report.

\* \* \* \* \*

91. Section 60.1425 is amended by revising paragraph (b) to read as follows:

**§ 60.1425 What must I include in the semiannual out-of-compliance reports?**

\* \* \* \* \*

(b) If the results of your annual stack tests (as recorded in § 60.1360(a)) show emissions above the limits specified in table 1 of this subpart for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted. You must submit, following the procedure specified in § 60.8(a), the performance test report that documents the emission levels and your corrective actions no later than the date that you submit the semiannual report.

\* \* \* \* \*

**Subpart BBBB - Emission Guidelines and Compliance Times for  
Small Municipal Waste Combustion Units Constructed on or Before  
August 30, 1999**

92. Section 60.1870 is revised to read as follows:

**§60.1870 When must I submit the initial report?**

As specified in §60.7(c), submit your initial report by 180 days after your final compliance date. The requirement to report data electronically to the Compliance and Emissions Data Reporting Interface (CEDRI) in § 60.7(c) does not apply to this subpart. You must continue submit these reports to the Administrator in hard copy at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

**Subpart EEEE—Standards of Performance for Other Solid Waste  
Incineration Units for Which Construction is Commenced After  
December 9, 2004, or for Which Modification or Reconstruction is  
Commenced on or After June 16, 2006**

93. Section 60.2889 is amended by revising paragraph (b) introductory text and adding paragraph (b)(7) to read as follows:

**§ 60.2889 Who implements and enforces this subpart?**

\* \* \* \* \*

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency, the authorities contained in paragraphs (b)(1) through (7) of this section are retained by the EPA and are not transferred to the State, local, or tribal agency.

\* \* \* \* \*

(7) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

94. Section 60.2956 is amended by revising paragraph (h) to read as follows:

**§ 60.2956 What information must I include in my annual report?**

\* \* \* \* \*

(h) For each performance test conducted during the reporting period, if any performance test is conducted, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted. Submit, following the procedure specified in § 60.8(a), the performance test report no later than the date that you submit the annual report.

\* \* \* \* \*

95. Section 60.2958 is amended by revising paragraph (d) to read as follows:

**§ 60.2958 What must I include in the deviation report?**

\* \* \* \* \*

(d) A copy of the operating limit monitoring data during each deviation and for any test report that documents the emission levels, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted. Submit, following the procedure specified in § 60.8(a), the performance test report no later than the date that you submit the deviation report.

\* \* \* \* \*

96. Section 60.2961 is revised to read as follows:

**§ 60.2961 In what form can I submit my reports?**

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due date. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, submit all subsequent annual and deviation reports electronically on or before the submittal due dates to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). Use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site

(<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

97. Table 4 to Subpart EEEE is amended by revising the entries for "4. Annual report" and "5. Emission limitation or operating limit deviation report" to read as follows:

**Table 4 to Subpart EEEE of Part 60—Summary of Reporting Requirements**

\* \* \* \* \*

Report	Due date	Contents	Reference
* * * * *	* * * * *	* * * * *	* * * * *
4. Annual report	a. No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report	i. Company name and address;  ii. Statement and signature by the owner or operator;  iii. Date of report;  iv. Values for the operating limits;  v. If no deviations or malfunctions were reported, a statement that no deviations occurred	§§ 60.2955 and 60.2956. §§ 60.2955 and 60.2956.  §§ 60.2955 and 60.2956.  §§ 60.2955 and 60.2956.  §§ 60.2955 and 60.2956.



		<p>during the reporting period;</p> <p>vi. Highest and lowest recorded 12-hour averages, as applicable for carbon monoxide emissions and highest and lowest recorded 3-hour averages, as applicable, for each operating parameter recorded for the calendar year being reported;</p> <p>vii. Information for deviations or malfunctions recorded under § 60.2949(b)(6) and (c) through (e);</p> <p>viii. For each performance test conducted during the reporting period, if any performance test is conducted, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted.</p> <p>ix. If a performance test was not conducted during the reporting period, a statement that the requirements of § 60.2934(a) or (b) were met; and</p>	<p>§§ 60.2955 and 60.2956.</p> <p>§§ 60.2955 and 60.2956.</p> <p>§§ 60.2955 and 60.2956.</p> <p>§§ 60.2955 and 60.2956.</p>
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		x. Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks.	
5. Emission limitation or operating limit deviation report	a. By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year	<p>i. Dates and times of deviation;</p> <p>ii. Averaged and recorded data for those dates;</p> <p>iii. Duration and causes of each deviation and the corrective actions taken;</p> <p>iv. Copy of operating limit monitoring data and, if any performance test was conducted that documents the emission levels, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted;</p> <p>v. Dates, times, and causes for monitor downtime incidents;</p> <p>vi. Whether each deviation occurred during a period of startup, shutdown, or malfunction; and</p>	<p>§§ 60.2957 and 60.2958.</p> <p>§§ 60.2957 and 60.2958.</p> <p>§§ 60.2957 and 60.2958.</p> <p>§§ 60.2957 and 60.2958.</p> <p>§§ 60.2957 and 60.2958.</p> <p>§§ 60.2957 and 60.2958.</p> <p>§§ 60.2957 and 60.2958.</p>

		vii. Dates, times and durations of any bypass of the control device.	
*	*	*	*

\* \* \* \* \*

**Subpart FFFF—Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004**

98. Section 60.3049 is amended by revising the introductory text to read as follows:

**§ 60.3049 What information must I submit following my initial performance test?**

You must submit the information specified in paragraphs (a) through (c) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager. The requirement to submit reports electronically to the Compliance and Emissions Data Reporting Interface (CEDRI) do not apply to this subpart. You must submit these data to the Administrator in hard copy at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

\* \* \* \* \*

**Subpart IIII - Standards of Performance for Stationary  
Compression Ignition Internal Combustion Engines**

99. Section 60.4214 is amended by revising paragraph

(d)(3) to read as follows:

**§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?**

\* \* \* \* \*

(d) \* \* \*

(3) Submit the annual report to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). Use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>).

\* \* \* \* \*

**Subpart JJJJ - Standards of Performance for Stationary Spark  
Ignition Internal Combustion Engines**

100. Amend § 60.4245 by revising paragraph (d) and paragraph (e)(3) to read as follows:

**§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?**

\* \* \* \* \*

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit, following the procedure specified in § 60.8(a), a report of the results of each performance test conducted following the procedure specified in § 60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348-03 (incorporated by reference-see 40 CFR 60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and 11.1.1.4; for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348-03 report results of all QA/QC procedures in Annexes 1-7.

(e) \* \* \*

(3) Submit the annual report to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). Use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic->

reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri).

**Subpart KKKK - Standards of Performance for Stationary**

**Combustion Turbines**

101. Amend § 60.4375 by revising paragraph (b) and adding paragraph (c) to read as follows:

**§ 60.4375 What reports must I submit?**

\* \* \* \* \*

(b) For each affected unit that performs annual performance tests in accordance with § 60.4340(a), you must submit, following the procedure specified in § 60.8(a), a report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

(c) If under part 75 you are required to submit the results of a RATA to the Emissions Collection and Monitoring Plan System (ECMPS), then you are not required to comply with the requirement in § 60.13(c) to electronically submit the results of the performance evaluation for that CEMS to the Compliance and Emissions Data Reporting Interface (CEDRI).

102. Section 60.4395 is revised to read as follows:

**§ 60.4395 When must I submit my reports?**

All reports required under § 60.7(c) must be submitted in the manner required by § 60.7(c) by the 30th day following the end of each 6-month period.

**Subpart LLLL - Standards of Performance for New Sewage Sludge Incineration Units**

103. Section 60.4785 is amended by revising paragraph (c) introductory text and adding paragraph (c)(9) to read as follows:

**§ 60.4785 Who implements and enforces this subpart?**

\* \* \* \* \*

(c) The authorities that will not be delegated to state, local, or tribal agencies are specified in paragraphs (c)(1) through (9) of this section.

\* \* \* \* \*

(9) Approval of an alternative to any electronic reporting to the EPA required by this subpart.

104. Section 60.4910 is amended by revising the introductory paragraph text to read as follows:

**§ 60.4910 What records must I keep?**

You must maintain the items (as applicable) specified in paragraphs (a) through (n) of this section for a period of at least 5 years. All records must be available on site in either

electronic format (that can be printed upon request) or paper copy format.

\* \* \* \* \*

105. Section 60.4915 is amended by:

- a. Revising paragraph (c) introductory text;
- b. Revising paragraphs (c)(4) and (5);
- c. Revising paragraph (d);
- d. Revising paragraph (d)(4) introductory text;
- e. Revising paragraph (d)(8);
- f. Revising paragraph (e)(2);
- g. Revising paragraph (e)(3)(vii);
- h. Revising paragraph (e)(4)(vii);
- i. Revising paragraphs (i)(1) and (2);
- j. Adding paragraph (i)(3).

The revisions and addition read as follows:

**§ 60.4915 What reports must I submit?**

\* \* \* \* \*

(c) Initial compliance report. You must submit, following the procedure specified in paragraph (i)(1) of this section, an initial compliance report containing the information listed in paragraphs (c)(1) through (8) of this section no later than 60 days following the initial performance test.

\* \* \* \* \*



(4) For the initial performance test conducted using the test methods specified in Table 1 or 2 of this subpart, the process unit(s) tested, the pollutant(s) tested, and the date that the initial performance test was conducted. Submit the initial performance test results, following the procedure specified in paragraph (i)(2) of this section, no later than the date that you submit the initial compliance report.

(5) If an initial performance evaluation of a continuous monitoring system (CMS) was conducted, the process unit where the CMS is installed, the parameter measured by the CMS, and the date that the performance evaluation is conducted. Submit the initial performance evaluation results, following the procedure specified in paragraph (i)(3) of this section, no later than the date that you submit the initial compliance report.

\* \* \* \* \*

(d) Annual compliance report. You must submit, following the procedure specified in paragraph (i)(1) of this section, an annual compliance report that includes the items listed in paragraphs (d)(1) through (16) of this section for the reporting period specified in paragraph (d)(3) of this section. You must submit your first annual compliance report no later than 12 months following the submission of the initial compliance report required by paragraph (c) of this section. You must submit

subsequent annual compliance reports no more than 12 months following the previous annual compliance report. (You may be required to submit these reports (or additional compliance information) more frequently by the title V operating permit required in § 60.4920.)

\* \* \* \* \*

(4) If a performance test was conducted during the reporting period, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted. Submit, following the procedure specified in paragraph (i)(2) of this section, the performance test report no later than the date that you submit the annual report.

\* \* \* \* \*

(8) If a performance evaluation of a continuous monitoring system (CMS) was conducted, the process unit where the CMS is installed, the parameter measured by the CMS, and the date that the performance evaluation is conducted. Submit, following the procedure specified in paragraph (i)(3) of this section, the results of that performance evaluation no later than the date that you submit the annual compliance report. If new operating limits were established during the performance evaluation, include your calculations for establishing those operating limits.

\* \* \* \* \*

(e) \* \* \*

(2) The deviation report must be submitted, following the procedure specified in paragraph (i)(1) of this section, by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data collected during the second half of the calendar year (July 1 to December 31).

(3) \* \* \*

(vii) A copy of the operating parameter monitoring data during each deviation and for any test report that documents the emission levels, the process unit(s) tested, the pollutant(s) tested and the date that the performance test was conducted. Submit the performance test report, following the procedure specified in paragraph (i)(2) of this section, no later than the date that you submit the deviation report.

\* \* \* \* \*

(4) \* \* \*

(vii) For any performance test report that showed a deviation from the emission limits or standard, the process unit(s) tested, the pollutant(s) tested and the date that the performance test was conducted. Submit the performance test report, following the procedure specified in paragraph (i)(2) of

this section, no later than the date that you submit the deviation report.

\* \* \* \* \*

(i) \* \* \*

(1) Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, you must submit subsequent reports on or before the submittal due dates to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). Use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(2) Within 60 days after the date of completing each performance test (see § 60.8) conducted to demonstrate compliance with this subpart, you must submit the results of the performance test following the procedures specified in paragraphs (i)(2)(i) through (iii) of this section.

(i) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test, you must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>)). Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(ii) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, you must submit the results of the performance test to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(iii) If you claim that some of the performance test information being submitted under paragraph (i)(2)(i) of this section is confidential business information (CBI), you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (i)(2)(i) of this section.

(3) Within 60 days after the date of completing each CEMS performance evaluation, you must submit the results of the performance evaluation following the procedures specified in paragraphs (i)(3)(i) through (iii) of this section.

(i) For performance evaluations of continuous monitoring systems measuring relative accuracy test audit (RATA) pollutants that are supported by the EPA's ERT as listed on the EPA's ERT Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the

test, you must submit the results of the performance evaluation to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>).) Performance evaluation data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the XML schema listed on the EPA's ERT Web site.

(ii) For any performance evaluations of continuous monitoring systems measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, you must submit the results of the performance evaluation to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(iii) If you claim that some of the performance evaluation information being submitted under paragraph (i)(3)(iii) of this section is CBI, you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd.,

Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (i)(3)(i) of this section.

106. Table 5 to Subpart LLLL is amended by:

- a. Revising the entry for "Initial compliance report";
- b. Revising the entry for "Annual compliance report"; and
- c. Revising the entry for "Deviation report (deviations from emission limits, emission standards, or operating limits, as specified in § 60.4915(e)(1))".

The revisions read as follows:

**Table 5 to Subpart LLLL of Part 60—Summary of Reporting Requirements for New Sewage Sludge Incineration Units<sup>a</sup>**

Report	Due date	Contents	Reference
* * *	* * *	* * *	* * *
Initial compliance report	No later than 60 days following the initial performance test	1. Company name and address. 2. Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report. 3. Date of report. 4. For the initial performance test conducted, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted.	§ 60.4915(c).



		<p>5. For the initial performance evaluation of your CMS<sup>b</sup>, the process unit where the CMS is installed, the pollutant the CMS measures, and the date that the performance evaluation is conducted.</p> <p>6. The values for the site-specific operating limits and the calculations and methods, as applicable, used to establish each operating limit.</p> <p>7. Documentation of installation of bag leak detection system for fabric filter.</p> <p>8. Results of initial air pollution control device inspection, including a description of repairs.</p>	
Annual compliance report	No later than 12 months following the submission of the initial compliance report; subsequent reports are to be submitted no more	<p>1. Company name and address.</p> <p>2. Statement and signature by responsible official.</p> <p>3. Date and beginning and ending dates of report.</p> <p>4. For each performance test conducted during the reporting period, if any performance test is conducted, the process unit(s)</p>	§ 60.4915(d).

	<p>than 12 months following the previous report</p>	<p>tested, the pollutant(s) tested, and the date that such performance test was conducted. Include any new operating limits and associated calculations and the type of activated carbon used, if applicable.</p> <p>5. For each pollutant and operating parameter recorded using a CMS, the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable.</p> <p>6. If no deviations from emission limits, emission standards, or operating limits occurred, a statement that no deviations occurred.</p> <p>7. If a fabric filter is used, the date, time, and duration of alarms.</p> <p>8. For each performance evaluation conducted during the reporting period, the process unit where the CMS is installed, the parameter measured by the CMS, and the date that the performance evaluation was conducted. Include any new operating limits and their</p>	
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		<p>associated calculations.</p> <p>9. If you met the requirements of § 60.4885(a)(3) and did not conduct a performance test, include the dates of the last three performance tests, a comparison to the 50 percent emission limit threshold of the emission level achieved in the last three performance tests, and a statement as to whether there have been any process changes.</p> <p>10. Documentation of periods when all qualified SSI unit operators were unavailable for more than 8 hours but less than 2 weeks.</p> <p>11. Results of annual pollutions control device inspections, including description of repairs.</p> <p>12. If there were no periods during which your CMSs had malfunctions, a statement that there were no periods during which your CMSs had malfunctions.</p> <p>13. If there were no periods during which your CMSs were out of control, a statement</p>	
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		<p>that there were no periods during which your CMSs were out of control.</p> <p>14. If there were no operator training deviations, a statement that there were no such deviations.</p> <p>15. Information on monitoring plan revisions, including a copy of any revised monitoring plan.</p>	
<p>Deviation report (deviations from emission limits, emission standards, or operating limits, as specified in § 60.4915(e)(1) )</p>	<p>By August 1 of a calendar year for data collected during the first half of the calendar year; by February 1 of a calendar year for data collected during the second half of the calendar year</p>	<p>If using a CMS: 1. Company name and address.</p> <p>2. Statement by a responsible official.</p> <p>3. The calendar dates and times your unit deviated from the emission limits or operating limits.</p> <p>4. The averaged and recorded data for those dates.</p> <p>5. Duration and cause of each deviation.</p> <p>6. Dates, times, and causes for monitor downtime incidents.</p> <p>7. A copy of the operating parameter monitoring data during each deviation, and, for any test report that documents the emission levels, the process unit(s) tested, the pollutant(s) tested, and the date that</p>	<p>§ 60.4915(e).</p>

		<p>such performance test was conducted.</p> <p>8. For periods of CMS malfunction or when a CMS was out of control, you must include the information specified in § 60.4915(e)(3)(viii).  <u>If not using a CMS:</u></p> <ol style="list-style-type: none"> <li>1. Company name and address.</li> <li>2. Statement by a responsible official.</li> <li>3. The total operating time of each affected SSI.</li> <li>4. The calendar dates and times your unit deviated from the emission limits, emission standard, or operating limits.</li> <li>5. The averaged and recorded data for those dates.</li> <li>6. Duration and cause of each deviation.</li> <li>7. For each performance test that showed a deviation from emission limits or standards conducted during the reporting period, the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted.</li> <li>8. A brief description of any malfunction, a description of</li> </ol>	
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		actions taken during the malfunction to minimize emissions, and corrective action taken.	
*	*	*	*

\* \* \* \* \*

**Subpart MMMM - Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units**

107. Section 60.5200 is amended by revising paragraph (a)(6) to read as follows:

**§ 60.5200 How do I develop a site-specific monitoring plan for my continuous monitoring, bag leak detection, and ash handling systems, and by what date must I conduct an initial performance evaluation?**

\* \* \* \* \*

(a) \* \* \*

(6) Ongoing recordkeeping and reporting procedures in accordance with the general requirements of §60.7(b), (c), (c)(1), (c)(4), (d), (e), (f) and (g). The requirements to report data electronically to the Compliance and Emissions Data Reporting Interface (CEDRI) in § 60.7(c) do not apply to this subpart. You must continue to submit these data to the Administrator in hard copy at the appropriate address listed in

§ 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

\* \* \* \* \*

**Subpart OOOO - Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced after August 23, 2011, and on or before September 18, 2015**

108. Section 60.5420 is amended by:

- a. Revising paragraph (b) introductory text;
- b. Revising paragraph (b)(7);
- c. Adding paragraph (b)(9); and
- d. Revising paragraph (c) introductory text.

The revisions and addition read as follows:

**§ 60.5420 What are my notification, reporting, and recordkeeping requirements?**

\* \* \* \* \*

(b) Reporting requirements. You must submit annual reports containing the information specified in paragraphs (b)(1) through (6) of this section and performance test reports as specified in paragraph (b)(7) or (8) of this section. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, you must submit subsequent

annual reports following the procedure specified in paragraph (b)(9). The initial annual report is due no later than 90 days after the end of the initial compliance period as determined according to § 60.5410. Subsequent annual reports are due no later than the same date each year as the initial annual report. If you own or operate more than one affected facility, you may submit one report for multiple affected facilities provided the report contains all of the information required as specified in paragraphs (b)(1) through (6) of this section. Annual reports may coincide with title V reports as long as all the required elements of the annual report are included. You may arrange with the Administrator a common schedule on which reports required by this part may be submitted as long as the schedule does not extend the reporting period.

\* \* \* \* \*

(7) Within 60 days after the date of completing each performance test (see § 60.8) required by this subpart, except testing conducted by the manufacturer as specified in § 60.5413(d), you must submit the results of the performance test following the procedures specified in paragraphs (b)(7)(i) through (iii) of this section.

(i) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT



Web site (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test, you must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>.) Performance test data must be submitted in a file format generated through the use of the EPA's ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA's ERT Web site.

(ii) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site at the time of the test, you must submit the results of the performance test to the Administrator at the appropriate address listed in § 60.4, unless the Administrator agrees to or specifies an alternate reporting method.

(iii) If you claim that some of the performance test information being submitted under paragraph (b)(7)(i) of this section is confidential business information (CBI), you must submit a complete file generated through the use of the EPA's ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT Web site, including information claimed to be CBI, on a compact disc, flash drive, or other

commonly used electronic storage medium to the EPA. The electronic medium must be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described in paragraph (b)(7)(i) of this section.

\* \* \* \* \*

(9) If you are required to submit reports in the manner specified in this paragraph, you must submit reports to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov/>)). You must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The reports must be submitted by the deadlines specified in this subpart, regardless of the method in which the reports are submitted.

(c) Recordkeeping requirements. You must maintain the records identified as specified in § 60.7(f) and in paragraphs

(c)(1) through (14) of this section. All records required by this subpart must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

\* \* \* \* \*

109. Section 60.5422 is amended by revising paragraph (a) to read as follows:

**§ 60.5422 What are my additional reporting requirements for my affected facility subject to VOC requirements for onshore natural gas processing plants?**

(a) You must comply with the requirements of paragraphs (b) and (c) of this section in addition to the requirements of § 60.487a(a), (b), (c)(2)(i) through (iv), and (c)(2)(vii) through (viii). As required by § 60.487a(a), beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year, whichever is later, you must submit subsequent semiannual reports to the EPA via the Compliance and Emissions Data

Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>.) Use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

\* \* \* \* \*

110. Section 60.5423 is amended by revising paragraph (b) introductory text and paragraph (e) to read as follows:

**§ 60.5423 What additional recordkeeping and reporting requirements apply to my sweetening unit affected facilities at onshore natural gas processing plants?**

\* \* \* \* \*

(b) You must submit a report of excess emissions to the Administrator with your annual report if you had excess emissions during the reporting period. Beginning on **[insert date 2 years after date of publication in the Federal Register]** or once the reporting form has been available in CEDRI for 1 year,

whichever is later, you must submit subsequent reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>.) You must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (<https://www.epa.gov/electronic-reporting-air-emissions/compliance-and-emissions-data-reporting-interface-cedri>). The date forms become available in CEDRI will be listed on the CEDRI Web site. The report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. For the purpose of these reports, excess emissions are defined as:

\* \* \* \* \*

(e) The requirements of paragraph (b) of this section remain in force until and unless the EPA, in delegating enforcement authority to a state under section 111(c) of the Clean Air Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such state. In that event, affected sources within the state will be relieved of obligation to comply with paragraph (b) of this section, provided that they comply with the requirements established by

the state. The EPA will not approve a waiver of electronic reporting to the EPA in delegating enforcement authority. Thus, electronic reporting to the EPA cannot be waived, and as such, the provisions of this paragraph cannot be used to relieve owners or operators of affected facilities of the requirement to submit the electronic reports required in this section to the EPA.

**Subpart QQQQ - Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces**

111. Section 60.5483 is amended by revising paragraph (b) to read as follows:

**§ 60.5483 What parts of the General Provisions do not apply to me?**

\* \* \* \* \*

(b) Section 60.8(a), (c), (d), (e), (f), (g) and (j); and

\* \* \* \* \*