

This document includes the relevant regulatory text for recordkeeping and reporting requirements as summarized under Section 4(b)(i) of the supporting statement.

§ 60.2175 What records must I keep?

You must maintain the items (as applicable) as specified in [paragraphs \(a\), \(b\), and \(e\)](#) through [\(x\)](#) of this section for a period of at least 5 years:

- (a) Calendar date of each record; and
- (b) Records of the data described in [paragraphs \(b\)\(1\)](#) through [\(7\)](#) of this section:
 - (1) The CISWI charge dates, times, weights, and hourly charge rates;
 - (2) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable;
 - (3) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable;
 - (4) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable;
 - (5) For affected CISWIs that establish operating limits for controls other than wet scrubbers under [§ 60.2110\(d\)](#) through [\(g\)](#) or [§ 60.2115](#), you must maintain data collected for all operating parameters used to determine compliance with the operating limits. For energy recovery units using activated carbon injection or a dry scrubber, you must also maintain records of the load fraction and corresponding sorbent injection rate records;
 - (6) If a fabric filter is used to comply with the emission limitations, you must record the date, time, and duration of each alarm and the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of operating time during each 6-month period that the alarm sounds, calculated as specified in [§ 60.2110\(c\)](#);
 - (7) If you monitor clinker production in accordance with [§ 60.2165\(t\)](#):
 - (i) Hourly clinker rate produced if clinker production is measured directly;
 - (ii) Hourly measured kiln feed rates and calculated clinker production rates if clinker production is not measured directly;
 - (iii) 30-day rolling averages for mercury in pounds per million tons of clinker produced;
 - (iv) The initial and quarterly accuracy of the system of measuring hourly clinker production (or feed mass flow).

(e) Identification of calendar dates and times for which data show a deviation from the operating limits in table 2 of this subpart or a deviation from other operating limits established under [§ 60.2110\(d\)](#) through [\(g\)](#) or [§ 60.2115](#) with a description of the deviations, reasons for such deviations, and a description of corrective actions taken;

(f) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations;

(g) All documentation produced as a result of the siting requirements of [§§ 60.2045](#) and [60.2050](#);

(h) Records showing the names of CISWI operators who have completed review of the information in [§ 60.2095\(a\)](#) as required by [§ 60.2095\(b\)](#), including the date of the initial review and all subsequent annual reviews;

(i) Records showing the names of the CISWI operators who have completed the operator training requirements under [§ 60.2070](#), met the criteria for qualification under [§ 60.2080](#), and maintained or renewed their qualification under [§ 60.2085](#) or [§ 60.2090](#). Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications;

(j) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours;

(k) Records of calibration of any monitoring devices as required under [§ 60.2165](#);

(l) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment;

(m) The information listed in [§ 60.2095\(a\)](#);

(n) On a daily basis, keep a log of the quantity of waste burned and the types of waste burned (always required);

(o) Maintain records of the annual air pollution control device inspections that are required for each CISWI subject to the emissions limits in table 1 of this subpart or tables 5 through 8 of this subpart, any required maintenance, and any repairs not completed within 10 days of an inspection or the timeframe established by the state regulatory agency;

(p) For continuously monitored pollutants or parameters, you must document and keep a record of the following parameters measured using continuous monitoring systems. If you monitor emissions with a CEMS, you must indicate which data are CEMS data during startup and shutdown:

(1) All 6-minute average levels of opacity;

- (2) All 1-hour average concentrations of sulfur dioxide emissions;
 - (3) All 1-hour average concentrations of nitrogen oxides emissions;
 - (4) All 1-hour average concentrations of carbon monoxide emissions;
 - (5) All 1-hour average concentrations of particulate matter emissions;
 - (6) All 1-hour average concentrations of mercury emissions;
 - (7) All 1-hour average concentrations of HCl CEMS outputs;
 - (8) All 1-hour average percent oxygen concentrations; and
 - (9) All 1-hour average PM CPMS readings or particulate matter CEMS outputs;
- (q) Records indicating use of the bypass stack, including dates, times, and durations.
- (r) If you choose to stack test less frequently than annually, consistent with [§ 60.2155\(a\)](#) through [\(c\)](#), you must keep annual records that document that your emissions in the previous stack test(s) were less than 75 percent of the applicable emission limit and document that there was no change in source operations including fuel composition and operation of air pollution control equipment that would cause emissions of the relevant pollutant to increase within the past year.
- (s) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.
- (t) Records of all required maintenance performed on the air pollution control and monitoring equipment.
- (u) Records of actions taken during periods of malfunction to minimize emissions in accordance with [§ 60.11\(d\)](#), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- (v) For operating units that combust non-hazardous secondary materials that have been determined not to be solid waste pursuant to [§ 241.3\(b\)\(1\) of this chapter](#), you must keep a record which documents how the secondary material meets each of the legitimacy criteria under [§ 241.3\(d\)\(1\)](#). If you combust a fuel that has been processed from a discarded non-hazardous secondary material pursuant to [§ 241.3\(b\)\(4\) of this chapter](#), you must keep records as to how the operations that produced the fuel satisfies the definition of processing in [§ 241.2](#) and each of the legitimacy criteria of [§ 241.3\(d\)\(1\) of this chapter](#). If the fuel received a non-waste determination pursuant to the petition process submitted under [§ 241.3\(c\) of this chapter](#), you must keep a record that documents how the fuel satisfies the requirements of the petition process. For operating units that combust non-hazardous secondary materials as fuel per [§](#)

[241.4](#), you must keep records documenting that the material is a listed non-waste under [§ 241.4\(a\)](#).

(w) Records of the criteria used to establish that the unit qualifies as a small power production facility under section 3(17)(C) of the Federal Power Act ([16 U.S.C. 796\(17\)\(C\)](#)) and that the waste material the unit is proposed to burn is homogeneous.

(x) Records of the criteria used to establish that the unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act ([16 U.S.C. 796\(18\)\(B\)](#)) and that the waste material the unit is proposed to burn is homogeneous.

§ 60.2190 What must I submit prior to commencing construction?

You must submit a notification prior to commencing construction that includes the five items listed in [paragraphs \(a\)](#) through [\(e\)](#) of this section:

- (a) A statement of intent to construct;
- (b) The anticipated date of commencement of construction;
- (c) All documentation produced as a result of the siting requirements of [§ 60.2050](#);
- (d) The waste management plan as specified in [§§ 60.2055](#) through [60.2065](#); and
- (e) Anticipated date of initial startup.

§ 60.2195 What information must I submit prior to initial startup?

You must submit the information specified in [paragraphs \(a\)](#) through [\(e\)](#) of this section prior to initial startup:

- (a) The type(s) of waste to be burned;
- (b) The maximum design waste burning capacity;
- (c) The anticipated maximum charge rate;
- (d) If applicable, the petition for site-specific operating limits under [§ 60.2115](#); and
- (e) The anticipated date of initial startup.

§ 60.2200 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:

- (a) The complete test report for the initial performance test results obtained under [§ 60.2135](#), as applicable;
- (b) The values for the site-specific operating limits established in [§ 60.2110](#) or [§ 60.2115](#); and
- (c) If you are using a fabric filter to comply with the emission limitations, documentation that a bag leak detection system has been installed and is being operated, calibrated, and maintained as required by [§ 60.2165\(b\)](#).

§ 60.2205 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in [§ 60.2200](#). You must submit subsequent reports no more than 12 months following the previous report. (If the unit is subject to permitting requirements under title V of the Clean Air Act, you may be required by the permit to submit these reports more frequently.)

§ 60.2210 What information must I include in my annual report?

The annual report required under [§ 60.2205](#) must include the items listed in [paragraphs \(a\) through \(p\)](#) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in [§§ 60.2215, 60.2220, and 60.2225](#):

- (a) Company name and address;
- (b) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report;
- (c) Date of report and beginning and ending dates of the reporting period;
- (d) The values for the operating limits established pursuant to [§ 60.2110](#) or [§ 60.2115](#);
- (e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period;
- (f) The highest recorded 3-hour average and the lowest recorded 3-hour average (30-day average for energy recovery units), as applicable, for each operating parameter recorded for the calendar year being reported;
- (g) Information recorded under [§ 60.2175\(b\)\(6\)](#) and [\(c\)](#) through [\(e\)](#) for the calendar year being reported;
- (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 [§ 60.2235\(b\)\(1\)](#), the performance test report no later than the date that you submit the annual report;

(i) If you met the requirements of [§ 60.2155\(a\)](#) or [\(b\)](#), and did not conduct a performance test during the reporting period, you must state that you met the requirements of [§ 60.2155\(a\)](#) or [\(b\)](#), and, therefore, you were not required to conduct a performance test during the reporting period;

(j) Documentation of periods when all qualified CISWI operators were unavailable for more than 8 hours, but less than 2 weeks;

(k) If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction that occurred during the reporting period and that caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with [§ 60.11\(d\)](#), including actions taken to correct a malfunction;

(l) For each deviation from an emission or operating limitation that occurs for a CISWI for which you are not using a continuous monitoring system to comply with the emission or operating limitations in this subpart, the annual report must contain the following information:

(1) The total operating time of the CISWI at which the deviation occurred during the reporting period; and

(2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

(m) If there were periods during which the continuous monitoring system, including the CEMS, was out of control as specified in [paragraph \(o\)](#) of this section, the annual report must contain the following information for each deviation from an emission or operating limitation occurring for a CISWI for which you are using a continuous monitoring system to comply with the emission and operating limitations in this subpart:

(1) The date and time that each malfunction started and stopped;

(2) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks;

(3) The date, time, and duration that each continuous monitoring system was out-of-control, including start and end dates and hours and descriptions of corrective actions taken;

(4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period;

(5) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period;

(6) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes;

(7) A summary of the total duration of continuous monitoring system downtime during the reporting period, and the total duration of continuous monitoring system downtime as a percent of the total operating time of the CISWI at which the continuous monitoring system downtime occurred during that reporting period;

(8) An identification of each parameter and pollutant that was monitored at the CISWI;

(9) A brief description of the CISWI;

(10) A brief description of the continuous monitoring system;

(11) The date of the latest continuous monitoring system certification or audit; and

(12) A description of any changes in continuous monitoring system, processes, or controls since the last reporting period.

(n) If there were periods during which the continuous monitoring system, including the CEMS, was not out of control as specified in [paragraph \(o\)](#) of this section, a statement that there were not periods during which the continuous monitoring system was out of control during the reporting period.

(o) A continuous monitoring system is out of control in accordance with the procedure in [40 CFR part 60, appendix F](#) of this part, as if any of the following occur:

(1) The zero (low-level), mid-level (if applicable), or high-level calibration drift exceeds two times the applicable calibration drift specification in the applicable performance specification or in the relevant standard;

(2) The continuous monitoring system fails a performance test audit (*e.g.*, cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit; and

(3) The continuous opacity monitoring system calibration drift exceeds two times the limit in the applicable performance specification in the relevant standard.

§ 60.2215 What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average (30-day average for energy recovery units or for PM CPMS) parameter level is above the maximum operating limit

or below the minimum operating limit established under this subpart, if the bag leak detection system alarm sounds for more than 5 percent of the operating time for the 6-month reporting period, if a performance test was conducted that deviated from any emission limitation, if a 30-day average measured using CEMS deviated from any emission limitation.

(b) The deviation report must be submitted 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 you collected during the second half of the calendar year (July 1 to December 31).

§ 60.2220 What must I include in the deviation report?

In each report required under [§ 60.2215](#), for any pollutant or parameter that deviated from the emission limitations or operating limits specified in this subpart, include the six items described in [paragraphs \(a\)](#) through [\(d\)](#) of this section:

(a) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements;

(b) The averaged and recorded data for those dates;

(c) Durations and causes of the following:

(1) Each deviation from emission limitations or operating limits and your corrective actions;

(2) Bypass events and your corrective actions; and

(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 the performance test was conducted. Submit, following the procedure specified in [§ 60.2235\(b\)\(1\)](#), the performance test report no later than the date that you submit the deviation report.

§ 60.2225 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in [paragraphs \(a\)\(1\)](#) and [\(2\)](#) of this section:

(1) Submit a notification of the deviation within 10 days that includes the three items in [paragraphs \(a\)\(1\)\(i\)](#) through [\(iii\)](#) of this section:

(i) A statement of what caused the deviation;

(ii) A description of what you are doing to ensure that a qualified operator is accessible; and

(iii) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the Administrator every 4 weeks that includes the three items in [paragraphs \(a\)\(2\)\(i\)](#) through [\(iii\)](#) of this section:

(i) A description of what you are doing to ensure that a qualified operator is accessible;

(ii) The date when you anticipate that a qualified operator will be accessible; and

(iii) Request approval from the Administrator to continue operation of the CISWI.

(b) If your unit was shut down by the Administrator, under the provisions of [§ 60.2100\(b\)\(2\)](#), due to a failure to provide an accessible qualified operator, you must notify the Administrator that you are resuming operation once a qualified operator is accessible.

§ 60.2230 Are there any other notifications or reports that I must submit?

(a) Yes. You must submit notifications as provided by [§ 60.7](#).

(b) If you cease combusting solid waste but continue to operate, you must provide 30 days prior notice of the effective date of the waste-to-fuel switch, consistent with 60.2145(a). The notification must identify:

(1) The name of the owner or operator of the CISWI, the location of the source, the emissions unit(s) that will cease burning solid waste, and the date of the notice;

(2) The currently applicable subcategory under this subpart, and any [40 CFR part 63 subpart](#) and subcategory that will be applicable after you cease combusting solid waste;

(3) The fuel(s), non-waste material(s) and solid waste(s) the CISWI is currently combusting and has combusted over the past 6 months, and the fuel(s) or non-waste materials the unit will commence combusting;

(4) The date on which you became subject to the currently applicable emission limits; and

(5) The date upon which you will cease combusting solid waste, and the date (if different) that you intend for any new requirements to become applicable (*i.e.*, the effective date of the waste-to-fuel switch), consistent with [paragraphs \(b\)\(2\)](#) and [\(3\)](#) of this section.

§ 60.2235 In what form can I submit my reports?

(b) Submit results of each performance test and CEMS performance evaluation required by this subpart as follows:

(1) 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 procedure specified in either [paragraph \(b\)\(1\)\(i\)](#) or [\(b\)\(1\)\(ii\)](#) 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 website (https://www3.epa.gov/ttn/chief/ert/ert_info.html) at the time of the test, you must submit the results of the performance test to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's 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 XML schema listed on the EPA's ERT website. If you claim that some of the performance test information being submitted 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 website, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage media to the EPA. The electronic media 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 earlier in this paragraph; and

(ii) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website 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](#).

(2) Within 60 days after the date of completing each continuous emissions monitoring system performance evaluation you must submit the results of the performance evaluation following the procedure specified in either [paragraph \(b\)\(2\)\(i\)](#) or [\(b\)\(2\)\(ii\)](#) 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 website at the time of the evaluation, you must submit the results of the performance evaluation to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX.) Performance evaluation data must be submitted in a file format generated through the use of the EPA's ERT or an alternate file format consistent with the XML schema listed on the EPA's ERT website. If you claim that some of the performance evaluation information being submitted 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 website, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage media to the EPA. The electronic storage media 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 earlier in this paragraph; and

(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 website at the time of the evaluation, you must submit the results of the performance evaluation to the Administrator at the appropriate address listed in [§ 60.4](#).

§ 60.2260 What are the recordkeeping and reporting requirements for air curtain incinerators?

(a) Prior to commencing construction on your ACI, submit the three items described in [paragraphs \(a\)\(1\)](#) through [\(3\)](#) of this section:

(1) Notification of your intent to construct the ACI;

(2) Your planned initial startup date; and

(3) Types of materials you plan to burn in your ACI.

(b) Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the Administrator approves another format, for at least 5 years.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date.