**§ 63.5 Preconstruction review and notification requirements.**

(a) ***Applicability.***

(1) This section implements the preconstruction review requirements of section 112(i)(1). After the effective date of a relevant standard, promulgated pursuant to section 112(d), (f), or (h) of the Act, under this part, the preconstruction review requirements in this section apply to the owner or operator of new affected sources and reconstructed affected sources that are major-emitting as specified in this section. New and reconstructed affected sources that commence construction or reconstruction before the effective date of a relevant standard are not subject to the preconstruction review requirements specified in [paragraphs (b)(3)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(b)(3)), [(d)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)), and [(e)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(e)) of this section.

(2) This section includes notification requirements for new affected sources and reconstructed affected sources that are not major-emitting affected sources and that are or become subject to a relevant promulgated emission standard after the effective date of a relevant standard promulgated under this part.

(d) ***Application for approval of construction or reconstruction.*** The provisions of this paragraph implement section 112(i)(1) of the Act.

(1) ***General application requirements.***

(i) An owner or operator who is subject to the requirements of [paragraph (b)(3)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(b)(3)) of this section must submit to the Administrator an application for approval of the construction or reconstruction. The application must be submitted as soon as practicable before actual construction or reconstruction begins. The application for approval of construction or reconstruction may be used to fulfill the initial notification requirements of [§ 63.9(b)(5)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(b)(5)). The owner or operator may submit the application for approval well in advance of the date actual construction or reconstruction begins in order to ensure a timely review by the Administrator and that the planned date to begin will not be delayed.

(ii) A separate application shall be submitted for each construction or reconstruction. Each application for approval of construction or reconstruction shall include at a minimum:

(A) The applicant's name and address;

(B) A notification of intention to construct a new major affected source or make any physical or operational change to a major affected source that may meet or has been determined to meet the criteria for a reconstruction, as defined in [§ 63.2](https://www.ecfr.gov/current/title-40/section-63.2) or in the relevant standard;

(C) The address (i.e., physical location) or proposed address of the source;

(D) An identification of the relevant standard that is the basis of the application;

(E) The expected date of the beginning of actual construction or reconstruction;

(F) The expected completion date of the construction or reconstruction;

(G) [Reserved]

(H) The type and quantity of hazardous air pollutants emitted by the source, reported in units and averaging times and in accordance with the test methods specified in the relevant standard, or if actual emissions data are not yet available, an estimate of the type and quantity of hazardous air pollutants expected to be emitted by the source reported in units and averaging times specified in the relevant standard. The owner or operator may submit percent reduction information if a relevant standard is established in terms of percent reduction. However, operating parameters, such as flow rate, shall be included in the submission to the extent that they demonstrate performance and compliance; and

(I) [Reserved]

(J) Other information as specified in [paragraphs (d)(2)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(2)) and [(d)(3)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(3)) of this section.

(iii) An owner or operator who submits estimates or preliminary information in place of the actual emissions data and analysis required in [paragraphs (d)(1)(ii)(H)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(1)(ii)(H)) and [(d)(2)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(2)) of this section shall submit the actual, measured emissions data and other correct information as soon as available but no later than with the notification of compliance status required in [§ 63.9(h)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(h)) (see [§ 63.9(h)(5)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(h)(5))).

(2) ***Application for approval of construction.*** Each application for approval of construction must include, in addition to the information required in [paragraph (d)(1)(ii)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(1)(ii)) of this section, technical information describing the proposed nature, size, design, operating design capacity, and method of operation of the source, including an identification of each type of emission point for each type of hazardous air pollutant that is emitted (or could reasonably be anticipated to be emitted) and a description of the planned air pollution control system (equipment or method) for each emission point. The description of the equipment to be used for the control of emissions must include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions must include an estimated control efficiency (percent) for that method. Such technical information must include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations.

(3) ***Application for approval of reconstruction.*** Each application for approval of reconstruction shall include, in addition to the information required in [paragraph (d)(1)(ii)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(1)(ii)) of this section—

(i) A brief description of the affected source and the components that are to be replaced;

(ii) A description of present and proposed emission control systems (i.e., equipment or methods). The description of the equipment to be used for the control of emissions shall include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions shall include an estimated control efficiency (percent) for that method. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations;

(iii) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new source;

(iv) The estimated life of the affected source after the replacements; and

(v) A discussion of any economic or technical limitations the source may have in complying with relevant standards or other requirements after the proposed replacements. The discussion shall be sufficiently detailed to demonstrate to the Administrator's satisfaction that the technical or economic limitations affect the source's ability to comply with the relevant standard and how they do so.

(vi) If in the application for approval of reconstruction the owner or operator designates the affected source as a reconstructed source and declares that there are no economic or technical limitations to prevent the source from complying with all relevant standards or other requirements, the owner or operator need not submit the information required in [paragraphs (d)(3)(iii)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(3)(iii)) through [(d)(3)(v)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(3)(v)) of this section.

(4) ***Additional information.*** The Administrator may request additional relevant information after the submittal of an application for approval of construction or reconstruction.

**§ 63.6 Compliance with standards and maintenance requirements.**

(e) ***Operation and maintenance requirements.***

(1)

(i) At all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires that the owner or operator reduce emissions from the affected source to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan required in [paragraph (e)(3)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(3)) of this section), review of operation and maintenance records, and inspection of the source.

(ii) Malfunctions must be corrected as soon as practicable after their occurrence. To the extent that an unexpected event arises during a startup, shutdown, or malfunction, an owner or operator must comply by minimizing emissions during such a startup, shutdown, and malfunction event consistent with safety and good air pollution control practices.

(iii) Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

(2) [Reserved]

(3) ***Startup, shutdown, and malfunction plan.***

(i) The owner or operator of an affected source must develop a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction; and a program of corrective action for malfunctioning process, air pollution control, and monitoring equipment used to comply with the relevant standard. The startup, shutdown, and malfunction plan does not need to address any scenario that would not cause the source to exceed an applicable emission limitation in the relevant standard. This plan must be developed by the owner or operator by the source's compliance date for that relevant standard. The purpose of the startup, shutdown, and malfunction plan is to—

(A) Ensure that, at all times, the owner or operator operates and maintains each affected source, including associated air pollution control and monitoring equipment, in a manner which satisfies the general duty to minimize emissions established by [paragraph (e)(1)(i)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(1)(i)) of this section;

(B) Ensure that owners or operators are prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and

(C) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).

(ii) [Reserved]

(iii) When actions taken by the owner or operator during a startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. These records may take the form of a “checklist,” or other effective form of recordkeeping that confirms conformance with the startup, shutdown, and malfunction plan and describes the actions taken for that event. In addition, the owner or operator must keep records of these events as specified in paragraph 63.10(b), including records of the occurrence and duration of each startup or shutdown (if the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), or malfunction of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner or operator shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in [§ 63.10(d)(5)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(d)(5)).

(iv) If an action taken by the owner or operator during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, and the source exceeds any applicable emission limitation in the relevant emission standard, then the owner or operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event, in accordance with [§ 63.10(d)(5)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(d)(5)) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator).

(v) The owner or operator must maintain at the affected source a current startup, shutdown, and malfunction plan and must make the plan available upon request for inspection and copying by the Administrator. In addition, if the startup, shutdown, and malfunction plan is subsequently revised as provided in [paragraph (e)(3)(viii)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(3)(viii)) of this section, the owner or operator must maintain at the affected source each previous (i.e., superseded) version of the startup, shutdown, and malfunction plan, and must make each such previous version available for inspection and copying by the Administrator for a period of 5 years after revision of the plan. If at any time after adoption of a startup, shutdown, and malfunction plan the affected source ceases operation or is otherwise no longer subject to the provisions of this part, the owner or operator must retain a copy of the most recent plan for 5 years from the date the source ceases operation or is no longer subject to this part and must make the plan available upon request for inspection and copying by the Administrator. The Administrator may at any time request in writing that the owner or operator submit a copy of any startup, shutdown, and malfunction plan (or a portion thereof) which is maintained at the affected source or in the possession of the owner or operator. Upon receipt of such a request, the owner or operator must promptly submit a copy of the requested plan (or a portion thereof) to the Administrator. The owner or operator may elect to submit the required copy of any startup, shutdown, and malfunction plan to the Administrator in an electronic format. If the owner or operator claims that any portion of such a startup, shutdown, and malfunction plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or [40 CFR 2.301](https://www.ecfr.gov/current/title-40/section-2.301), the material which is claimed as confidential must be clearly designated in the submission.

(vi) To satisfy the requirements of this section to develop a startup, shutdown, and malfunction plan, the owner or operator may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection or submitted when requested by the Administrator.

(vii) Based on the results of a determination made under [paragraph (e)(1)(i)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(1)(i)) of this section, the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator must require appropriate revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:

(A) Does not address a startup, shutdown, or malfunction event that has occurred;

(B) Fails to provide for the operation of the source (including associated air pollution control and monitoring equipment) during a startup, shutdown, or malfunction event in a manner consistent with the general duty to minimize emissions established by [paragraph (e)(1)(i)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(1)(i)) of this section;

(C) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control and monitoring equipment as quickly as practicable; or

(D) Includes an event that does not meet the definition of startup, shutdown, or malfunction listed in [§ 63.2](https://www.ecfr.gov/current/title-40/section-63.2).

(viii) The owner or operator may periodically revise the startup, shutdown, and malfunction plan for the affected source as necessary to satisfy the requirements of this part or to reflect changes in equipment or procedures at the affected source. Unless the permitting authority provides otherwise, the owner or operator may make such revisions to the startup, shutdown, and malfunction plan without prior approval by the Administrator or the permitting authority. However, each such revision to a startup, shutdown, and malfunction plan must be reported in the semiannual report required by [§ 63.10(d)(5)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(d)(5)). If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator must revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control and monitoring equipment. In the event that the owner or operator makes any revision to the startup, shutdown, and malfunction plan which alters the scope of the activities at the source which are deemed to be a startup, shutdown, or malfunction, or otherwise modifies the applicability of any emission limit, work practice requirement, or other requirement in a standard established under this part, the revised plan shall not take effect until after the owner or operator has provided a written notice describing the revision to the permitting authority.

(ix) The title V permit for an affected source must require that the owner or operator develop a startup, shutdown, and malfunction plan which conforms to the provisions of this part, but may do so by citing to the relevant subpart or subparagraphs of [paragraph (e)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)) of this section. However, any revisions made to the startup, shutdown, and malfunction plan in accordance with the procedures established by this part shall not be deemed to constitute permit revisions under [part 70](https://www.ecfr.gov/current/title-40/part-70) or [part 71 of this chapter](https://www.ecfr.gov/current/title-40/part-71) and the elements of the startup, shutdown, and malfunction plan shall not be considered an applicable requirement as defined in [§ 70.2](https://www.ecfr.gov/current/title-40/section-70.2) and [§ 71.2 of this chapter](https://www.ecfr.gov/current/title-40/section-71.2). Moreover, none of the procedures specified by the startup, shutdown, and malfunction plan for an affected source shall be deemed to fall within the permit shield provision in section 504(f) of the Act.

**§ 63.7 Performance testing requirements.**

(b) ***Notification of performance test.***

(1) The owner or operator of an affected source must notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is initially scheduled to begin to allow the Administrator, upon request, to review an approve the site-specific test plan required under [paragraph (c)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(c)) of this section and to have an observer present during the test.

(2) In the event the owner or operator is unable to conduct the performance test on the date specified in the notification requirement specified in [paragraph (b)(1)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(b)(1)) of this section due to unforeseeable circumstances beyond his or her control, the owner or operator must notify the Administrator as soon as practicable and without delay prior to the scheduled performance test date and specify the date when the performance test is rescheduled. This notification of delay in conducting the performance test shall not relieve the owner or operator of legal responsibility for compliance with any other applicable provisions of this part or with any other applicable Federal, State, or local requirement, nor will it prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

**§ 63.8 Monitoring requirements.**

(e) ***Performance evaluation of continuous monitoring systems*** —

(1) ***General.*** When required by a relevant standard, and at any other time the Administrator may require under section 114 of the Act, the owner or operator of an affected source being monitored shall conduct a performance evaluation of the CMS. Such performance evaluation shall be conducted according to the applicable specifications and procedures described in this section or in the relevant standard.

(2) ***Notification of performance evaluation.*** The owner or operator shall notify the Administrator in writing of the date of the performance evaluation simultaneously with the notification of the performance test date required under [§ 63.7(b)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(b)) or at least 60 days prior to the date the performance evaluation is scheduled to begin if no performance test is required.

(3)

(i) ***Submission of site-specific performance evaluation test plan.*** Before conducting a required CMS performance evaluation, the owner or operator of an affected source shall develop and submit a site-specific performance evaluation test plan to the Administrator for approval upon request. The performance evaluation test plan shall include the evaluation program objectives, an evaluation program summary, the performance evaluation schedule, data quality objectives, and both an internal and external QA program. Data quality objectives are the pre-evaluation expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of CMS performance. The external QA program shall include, at a minimum, systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(iii) The owner or operator of an affected source shall submit the site-specific performance evaluation test plan to the Administrator (if requested) at least 60 days before the performance test or performance evaluation is scheduled to begin, or on a mutually agreed upon date, and review and approval of the performance evaluation test plan by the Administrator will occur with the review and approval of the site-specific test plan (if review of the site-specific test plan is requested).

(iv) The Administrator may request additional relevant information after the submittal of a site-specific performance evaluation test plan.

(v) In the event that the Administrator fails to approve or disapprove the site-specific performance evaluation test plan within the time period specified in [§ 63.7(c)(3)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(c)(3)), the following conditions shall apply:

(A) If the owner or operator intends to demonstrate compliance using the monitoring method(s) specified in the relevant standard, the owner or operator shall conduct the performance evaluation within the time specified in this subpart using the specified method(s);

(B) If the owner or operator intends to demonstrate compliance by using an alternative to a monitoring method specified in the relevant standard, the owner or operator shall refrain from conducting the performance evaluation until the Administrator approves the use of the alternative method. If the Administrator does not approve the use of the alternative method within 30 days before the performance evaluation is scheduled to begin, the performance evaluation deadlines specified in [paragraph (e)(4)](https://www.ecfr.gov/current/title-40/section-63.8#p-63.8(e)(4)) of this section may be extended such that the owner or operator shall conduct the performance evaluation within 60 calendar days after the Administrator approves the use of the alternative method. Notwithstanding the requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance evaluation as required in this section (without the Administrator's prior approval of the site-specific performance evaluation test plan) if he/she subsequently chooses to use the specified monitoring method(s) instead of an alternative.

(vi) Neither the submission of a site-specific performance evaluation test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall—

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) ***Conduct of performance evaluation and performance evaluation dates.*** The owner or operator of an affected source shall conduct a performance evaluation of a required CMS during any performance test required under [§ 63.7](https://www.ecfr.gov/current/title-40/section-63.7) in accordance with the applicable performance specification as specified in the relevant standard. Notwithstanding the requirement in the previous sentence, if the owner or operator of an affected source elects to submit COMS data for compliance with a relevant opacity emission standard as provided under [§ 63.6(h)(7)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(h)(7)), he/she shall conduct a performance evaluation of the COMS as specified in the relevant standard, before the performance test required under [§ 63.7](https://www.ecfr.gov/current/title-40/section-63.7) is conducted in time to submit the results of the performance evaluation as specified in [paragraph (e)(5)(ii)](https://www.ecfr.gov/current/title-40/section-63.8#p-63.8(e)(5)(ii)) of this section. If a performance test is not required, or the requirement for a performance test has been waived under [§ 63.7(h)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(h)), the owner or operator of an affected source shall conduct the performance evaluation not later than 180 days after the appropriate compliance date for the affected source, as specified in [§ 63.7(a)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(a)), or as otherwise specified in the relevant standard.

(5) ***Reporting performance evaluation results.***

(i) The owner or operator shall furnish the Administrator a copy of a written report of the results of the performance evaluation containing the information specified in [§ 63.7(g)(2)(i)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(g)(2)(i)) through [(vi)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(g)(2)(vi)) simultaneously with the results of the performance test required under [§ 63.7](https://www.ecfr.gov/current/title-40/section-63.7) or within 60 days of completion of the performance evaluation, unless otherwise specified in a relevant standard.

(ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under [§ 63.7](https://www.ecfr.gov/current/title-40/section-63.7) and described in [§ 63.6(d)(6)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(d)(6)) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation under this paragraph. The copies shall be provided at least 15 calendar days before the performance test required under [§ 63.7](https://www.ecfr.gov/current/title-40/section-63.7) is conducted.

**§ 63.9 Notification requirements.**

(b) ***Initial notifications.***

(1)

(i) The requirements of this paragraph apply to the owner or operator of an affected source when such source becomes subject to a relevant standard.

(ii) If an area source subsequently becomes a major source that is subject to the emission standard or other requirement, such source shall be subject to the notification requirements of this section. Area sources previously subject to major source requirements that become major sources again are also subject to the notification requirements of this paragraph and must submit the notification according to the requirements of [paragraph (k)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(k)) of this section.

(iii) Affected sources that are required under this paragraph to submit an initial notification may use the application for approval of construction or reconstruction under [§ 63.5(d) of this subpart](https://www.ecfr.gov/current/title-40/part-63/section-63.5#p-63.5(d)), if relevant, to fulfill the initial notification requirements of this paragraph.

(2) The owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part shall notify the Administrator in writing that the source is subject to the relevant standard. The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:

(i) The name and address of the owner or operator;

(ii) The address (i.e., physical location) of the affected source;

(iii) An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;

(iv) A brief description of the nature, size, design, and method of operation of the source and an identification of the types of emission points within the affected source subject to the relevant standard and types of hazardous air pollutants emitted; and

(v) A statement of whether the affected source is a major source or an area source.

(3) [Reserved]

(4) The owner or operator of a new or reconstructed major affected source for which an application for approval of construction or reconstruction is required under [§ 63.5(d)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)) must provide the following information in writing to the Administrator:

(i) A notification of intention to construct a new major-emitting affected source, reconstruct a major-emitting affected source, or reconstruct a major source such that the source becomes a major-emitting affected source with the application for approval of construction or reconstruction as specified in [§ 63.5(d)(1)(i)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(1)(i)); and

(ii)-(iv) [Reserved]

(v) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(5) The owner or operator of a new or reconstructed affected source for which an application for approval of construction or reconstruction is not required under [§ 63.5(d)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)) must provide the following information in writing to the Administrator:

(i) A notification of intention to construct a new affected source, reconstruct an affected source, or reconstruct a source such that the source becomes an affected source, and

(ii) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(iii) Unless the owner or operator has requested and received prior permission from the Administrator to submit less than the information in [§ 63.5(d)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)), the notification must include the information required on the application for approval of construction or reconstruction as specified in [§ 63.5(d)(1)(i)](https://www.ecfr.gov/current/title-40/section-63.5#p-63.5(d)(1)(i)).

(e) ***Notification of performance test.*** The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under [§ 63.7(c)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(c)), if requested by the Administrator, and to have an observer present during the test.

(h) ***Notification of compliance status.***

(1) The requirements of [paragraphs (h)(2)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(h)(2)) through [(h)(4)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(h)(4)) of this section apply when an affected source becomes subject to a relevant standard.

(2)

(i) Before a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit to the Administrator a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard. The notification shall list—

(A) The methods that were used to determine compliance;

(B) The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;

(C) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;

(D) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;

(E) If the relevant standard applies to both major and area sources, an analysis demonstrating whether the affected source is a major source (using the emissions data generated for this notification);

(F) A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and

(G) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.

(ii) The notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard (unless a different reporting period is specified in the standard, in which case the letter must be sent before the close of business on the day the report of the relevant testing or monitoring results is required to be delivered or postmarked). For example, the notification shall be sent before close of business on the 60th (or other required) day following completion of the initial performance test and again before the close of business on the 60th (or other required) day following the completion of any subsequent required performance test. If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with an opacity or visible emission standard under this part, the notification of compliance status shall be sent before close of business on the 30th day following the completion of opacity or visible emission observations. Notifications may be combined as long as the due date requirement for each notification is met.

(3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this part. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

(j) ***Change in information already provided.*** Any change in the information already provided under this section shall be provided to the Administrator within 15 calendar days after the change. The owner or operator of a major source that reclassifies to area source status is also subject to the notification requirements of this paragraph. The owner or operator may submit the application for reclassification with the regulatory authority (*e.g.,* permit application) according to [paragraph (k)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(k)) of this section to fulfill the requirements of this paragraph, but the information required in [paragraphs (j)(1)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(j)(1)) through [(4)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(j)(4)) of this section must be included. A source which reclassified after January 25, 2018, and before January 19, 2021, and has not yet provided the notification of a change in information is required to provide such notification no later than February 2, 2021, according to the requirements of [paragraph (k)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(k)) of this section. Beginning January 19, 2021, the owner or operator of a major source that reclassifies to area source status must submit the notification according to the requirements of [paragraph (k)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(k)) of this section. A notification of reclassification must contain the following information:

(1) The name and address of the owner or operator;

(2) The address (*i.e.,* physical location) of the affected source;

(3) An identification of the standard being reclassified from and to (if applicable); and

(4) Date of effectiveness of the reclassification.

**§ 63.10 Recordkeeping and reporting requirements.**

(b) ***General recordkeeping requirements.***

(1) The owner or operator of an affected source subject to the provisions of this part shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

(2) The owner or operator of an affected source subject to the provisions of this part shall maintain relevant records for such source of—

(i) The occurrence and duration of each startup or shutdown when the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards;

(ii) The occurrence and duration of each malfunction of operation (i.e., process equipment) or the required air pollution control and monitoring equipment;

(iii) All required maintenance performed on the air pollution control and monitoring equipment;

(iv)

(A) Actions taken during periods of startup or shutdown when the source exceeded applicable emission limitations in a relevant standard and when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see [§ 63.6(e)(3)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(3))); or

(B) Actions taken during periods of malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) when the actions taken are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see [§ 63.6(e)(3)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(3)));

(v) All information necessary, including actions taken, to demonstrate conformance with the affected source's startup, shutdown, and malfunction plan (see [§ 63.6(e)(3)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(3))) when all actions taken during periods of startup or shutdown (and the startup or shutdown causes the source to exceed any applicable emission limitation in the relevant emission standards), and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a “checklist,” or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);

(vi) Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);

(vii) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);

(A) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under [paragraph (b)(2)(vii)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(b)(2)(vii)) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(B) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under [paragraph (b)(2)(vii)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(b)(2)(vii)) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(C) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (b)(2)(vii), if the administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(viii) All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;

(ix) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;

(x) All CMS calibration checks;

(xi) All adjustments and maintenance performed on CMS;

(xii) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements under this part, if the source has been granted a waiver under [paragraph (f)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(f)) of this section;

(xiii) All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under [§ 63.8(f)(6)](https://www.ecfr.gov/current/title-40/section-63.8#p-63.8(f)(6)); and

(xiv) All documentation supporting initial notifications and notifications of compliance status under [§ 63.9](https://www.ecfr.gov/current/title-40/section-63.9).

(3) If an owner or operator determines that his or her existing or new stationary source is in the source category regulated by a standard established pursuant to section 112 of the Act, but that source is not subject to the relevant standard (or other requirement established under this part) because of enforceable limitations on the source's potential to emit, or the source otherwise qualifies for an exclusion, the owner or operator must keep a record of the applicability determination. The applicability determination must be kept on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source subject to the relevant standard (or other requirement established under this part), whichever comes first if the determination is made prior to January 19, 2021. The applicability determination must be kept until the source changes its operations to become an affected source subject to the relevant standard (or other requirement established under this part) if the determination was made on or after January 19, 2021. The record of the applicability determination must be signed by the person making the determination and include an emissions analysis (or other information) that demonstrates the owner or operator's conclusion that the source is unaffected (*e.g.,* because the source is an area source). The analysis (or other information) must be sufficiently detailed to allow the Administrator to make an applicability finding for the source with regard to the relevant standard or other requirement. If applicable, the analysis must be performed in accordance with requirements established in relevant [subparts of this part](https://www.ecfr.gov/current/title-40/part-63/subpart-s) for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112 of the Act, if any. The requirements to determine applicability of a standard under [§ 63.1(b)(3)](https://www.ecfr.gov/current/title-40/section-63.1#p-63.1(b)(3)) and to record the results of that determination under this [paragraph (b)(3)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(b)(3)) of this section shall not by themselves create an obligation for the owner or operator to obtain a title V permit.

(d) ***General reporting requirements.***

(2) ***Reporting results of performance tests.*** Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of any performance test under [§ 63.7](https://www.ecfr.gov/current/title-40/section-63.7) to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of a required performance test to the appropriate permitting authority. The owner or operator of an affected source shall report the results of the performance test to the Administrator (or the State with an approved permit program) before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator. The results of the performance test shall be submitted as part of the notification of compliance status required under [§ 63.9(h)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(h)).

**§ 63.3510 What notifications must I submit?**

(a) ***General.*** You must submit the notifications in [§§ 63.7(b)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(b)) and [(c)](https://www.ecfr.gov/current/title-40/section-63.7#p-63.7(c)), [63.8(f)(4)](https://www.ecfr.gov/current/title-40/section-63.8#p-63.8(f)(4)), and [63.9(b)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(b)) through [(e)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(e)) and [(h)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(h)) that apply to you by the dates specified in those sections, except as provided in [paragraphs (b)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(b)) and [(c)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)) of this section.

(b) ***Initial notification.*** You must submit the Initial Notification required by [§ 63.9(b)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(b)) for a new or reconstructed affected source no later than 120 days after initial startup, no later than 120 days after the source becomes subject to this subpart, or 120 days after November 13, 2003, whichever is later. For an existing affected source, you must submit the Initial Notification no later than November 13, 2004, or no later than 120 days after the source becomes subject to this subpart, whichever is later.

(c) ***Notification of compliance status.*** You must submit the Notification of Compliance Status required by [§ 63.9(h)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(h)) no later than 30 calendar days following the end of the initial compliance period described in [§ 63.3520](https://www.ecfr.gov/current/title-40/section-63.3520), [§ 63.3530](https://www.ecfr.gov/current/title-40/section-63.3530), [§ 63.3540](https://www.ecfr.gov/current/title-40/section-63.3540), or [§ 63.3550](https://www.ecfr.gov/current/title-40/section-63.3550) that applies to your affected source. The Notification of Compliance Status must contain the information specified in [paragraphs (c)(1)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(1)) through [(9)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(9)) of this section and in [§ 63.9(h)](https://www.ecfr.gov/current/title-40/section-63.9#p-63.9(h)).

(1) Company name and address.

(2) Statement by a responsible official with that official's name, title, and signature certifying the truth, accuracy, and completeness of the content of the report.

(3) Date of the report and beginning and ending dates of the reporting period. The reporting period is the initial compliance period described in [§ 63.3520](https://www.ecfr.gov/current/title-40/section-63.3520), [§ 63.3530](https://www.ecfr.gov/current/title-40/section-63.3530), [§ 63.3540](https://www.ecfr.gov/current/title-40/section-63.3540), or [§ 63.3550](https://www.ecfr.gov/current/title-40/section-63.3550) that applies to your affected source.

(4) Identification of the compliance option or options specified in [§ 63.3491](https://www.ecfr.gov/current/title-40/section-63.3491) that you used on each coating operation in the affected source during the initial compliance period.

(5) Statement of whether or not the affected source achieved the emission limitations for the initial compliance period.

(6) If you had a deviation, include the information in [paragraphs (c)(6)(i)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(6)(i)) and [(ii)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(6)(ii)) of this section.

(i) A description and statement of the cause of the deviation.

(ii) If you failed to meet the applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490), include all the calculations you used to determine the kilogram (kg) organic HAP emitted per liter of coating solids used. You do not need to submit information provided by the materials suppliers or manufacturers or test reports.

(7) For each of the data items listed in [paragraphs (c)(7)(i)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(7)(i)) through [(iv)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(7)(iv)) of this section that is required by the compliance option(s) you used to demonstrate compliance with the emission limit, include an example of how you determined the value, including calculations and supporting data. Supporting data can include a copy of the information provided by the supplier or manufacturer of the example coating or material or a summary of the results of testing conducted according to [§ 63.3521(a)](https://www.ecfr.gov/current/title-40/section-63.3521#p-63.3521(a)), [(b)](https://www.ecfr.gov/current/title-40/section-63.3521#p-63.3521(b)), or [(c)](https://www.ecfr.gov/current/title-40/section-63.3521#p-63.3521(c)). You do not need to submit copies of any test reports.

(i) Mass fraction of organic HAP for one coating and for one thinner.

(ii) Volume fraction of coating solids for one coating.

(iii) Density for one coating and one thinner, except that if you use the compliant material option, only the example coating density is required.

(iv) The amount of waste materials and the mass of organic HAP contained in the waste materials for which you are claiming an allowance in Equation 1 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531).

(8) The calculation of kg organic HAP emitted per liter of coating solids used for the compliance option(s) you used, as specified in [paragraphs (c)(8)(i)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(8)(i)) through [(iii)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(8)(iii)) of this section.

(i) For the compliant material option, provide an example calculation of the organic HAP content for one coating, using Equation 1 of [§ 63.3521](https://www.ecfr.gov/current/title-40/section-63.3521).

(ii) For the emission rate without add-on controls option, provide the calculation of the total mass of organic HAP emissions for each month, the calculation of the total volume of coating solids used each month, and the calculation of the 12-month organic HAP emission rate, using Equations 1, 1A, 1B, 2, and 3, respectively, of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531), or Equation 4 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531), if applicable.

(iii) For the emission rate with add-on controls option, provide the calculation of the total mass of organic HAP emissions for the coatings and thinners used each month, using Equations 1, 1A, and 1B of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531); the calculation of the total volume of coating solids used each month, using Equation 2 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531); the calculation of the mass of organic HAP emission reduction each month by emission capture systems and add-on control devices, using Equations 1 and 1A through 1C of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541), and Equations 2, 3, 3A, and 3B of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541), as applicable; the calculation of the total mass of organic HAP emissions each month, using Equation 4 of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541), as applicable; and the calculation of the 12-month organic HAP emission rate, using the applicable equation, Equation 5 of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541) or Equation 4 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531).

(9) For the emission rate with add-on controls option or the control efficiency/outlet concentration option, you must include the information specified in [paragraphs (c)(9)(i)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(9)(i)) through [(iv)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(9)(iv)) of this section. The requirements in [paragraphs (c)(9)(i)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(9)(i)) through [(iii)](https://www.ecfr.gov/current/title-40/section-63.3510#p-63.3510(c)(9)(iii)) of this section do not apply to solvent recovery systems for which you conduct liquid-liquid material balances according to [§ 63.3541(i)](https://www.ecfr.gov/current/title-40/section-63.3541#p-63.3541(i)).

(i) For each emission capture system, a summary of the data and copies of the calculations supporting the determination that the emission capture system is a PTE or a measurement of the emission capture system efficiency. Include a description of the protocol followed for measuring capture efficiency, summaries of any capture efficiency tests conducted, and any calculations supporting the capture efficiency determination. If you use the data quality objective (DQO) or lower confidence limit (LCL) approach, you must also include the statistical calculations to show you meet the DQO or LCL criteria in appendix A to [subpart KK of this part](https://www.ecfr.gov/current/title-40/part-63/subpart-KK). You do not need to submit complete test reports.

(ii) A summary of the results of each add-on control device performance test. You do not need to submit complete test reports.

(iii) A list of each emission capture system's and add-on control device's operating limits and a summary of the data used to calculate those limits.

(iv) A statement of whether or not you developed and implemented the work practice plan required by [§ 63.3493](https://www.ecfr.gov/current/title-40/section-63.3493).

**§ 63.3511 What reports must I submit?**

(a) ***Semiannual compliance reports.*** You must submit semiannual compliance reports for each affected source according to the requirements of [paragraphs (a)(1)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(1)) through [(7)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)) of this section. The semiannual compliance reporting requirements may be satisfied by reports required under other parts of the Clean Air Act (CAA), as specified in [paragraph (a)(2)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(2)) of this section.

(1) ***Dates.*** Unless the Administrator has approved a different schedule for submission of reports under [§ 63.10(a)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(a)), you must prepare and submit each semiannual compliance report according to the dates specified in [paragraphs (a)(1)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(1)(i)) through [(iv)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(1)(iv)) of this section. Note that the information reported for each of the months in the reporting period will be based on the last 12 months of data prior to the date of each monthly calculation.

(i) The first semiannual compliance report must cover the first semiannual reporting period which begins the day after the end of the initial compliance period described in [§ 63.3520](https://www.ecfr.gov/current/title-40/section-63.3520), [§ 63.3530](https://www.ecfr.gov/current/title-40/section-63.3530), [§ 63.3540](https://www.ecfr.gov/current/title-40/section-63.3540), or [§ 63.3550](https://www.ecfr.gov/current/title-40/section-63.3550) that applies to your affected source and ends on June 30 or December 31, whichever occurs first following the end of the initial compliance period.

(ii) Each subsequent semiannual compliance report must cover the subsequent semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(iii) Each semiannual compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(iv) For each affected source that is subject to permitting regulations pursuant to [40 CFR part 70](https://www.ecfr.gov/current/title-40/part-70) or [40 CFR part 71](https://www.ecfr.gov/current/title-40/part-71), and if the permitting authority has established dates for submitting semiannual reports pursuant to [40 CFR 70.6(a)(3)(iii)(A)](https://www.ecfr.gov/current/title-40/section-70.6#p-70.6(a)(3)(iii)(A)) or [40 CFR 71.6(a)(3)(iii)(A)](https://www.ecfr.gov/current/title-40/section-71.6#p-71.6(a)(3)(iii)(A)), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of the date specified in [paragraph (a)(1)(iii)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(1)(iii)) of this section.

(2) ***Inclusion with title V report.*** Each affected source that has obtained a title V operating permit pursuant to [40 CFR part 70](https://www.ecfr.gov/current/title-40/part-70) or [40 CFR part 71](https://www.ecfr.gov/current/title-40/part-71) must report all deviations as defined in this subpart in the semiannual monitoring report required by [40 CFR 70.6(a)(3)(iii)(A)](https://www.ecfr.gov/current/title-40/section-70.6#p-70.6(a)(3)(iii)(A)) or [40 CFR 71.6(a)(3)(iii)(A)](https://www.ecfr.gov/current/title-40/section-71.6#p-71.6(a)(3)(iii)(A)). If an affected source submits a semiannual compliance report pursuant to this section along with, or as part of, the semiannual monitoring report required by [40 CFR 70.6(a)(3)(iii)(A)](https://www.ecfr.gov/current/title-40/section-70.6#p-70.6(a)(3)(iii)(A)) or [40 CFR 71.6(a)(3)(iii)(A)](https://www.ecfr.gov/current/title-40/section-71.6#p-71.6(a)(3)(iii)(A)), and the semiannual compliance report includes all required information concerning deviations from any emission limitation in this subpart, its submission will be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a semiannual compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permitting authority.

(3) ***General requirements.*** The semiannual compliance report must contain the information specified in [paragraphs (a)(3)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(3)(i)) through [(v)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(3)(v)) of this section and the information specified in [paragraphs (a)(4)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(4)) through [(7)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)) and [(c)(1)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(c)(1)) of this section that is applicable to your affected source.

(i) Company name and address.

(ii) Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.

(iii) Date of report and beginning and ending dates of the reporting period. The reporting period is the 6-month period ending on June 30 or December 31. Note that the information reported for each of the 6 months in the reporting period will be based on the last 12 months of data prior to the date of each monthly calculation.

(iv) Identification of the compliance option or options specified in [§ 63.3491](https://www.ecfr.gov/current/title-40/section-63.3491) that you used on each coating operation during the reporting period. If you switched between compliance options during the reporting period, you must report the beginning and ending dates you used each option.

(v) If you used the emission rate without add-on controls or the emission rate with add-on controls compliance option ([§ 63.3491(b)](https://www.ecfr.gov/current/title-40/section-63.3491#p-63.3491(b)) or [(c)](https://www.ecfr.gov/current/title-40/section-63.3491#p-63.3491(c))), the calculation results for each rolling 12-month organic HAP emission rate during the 6-month reporting period.

(4) ***No deviations.*** If there were no deviations from the emission limits, operating limits, or work practice standards in [§§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490), [63.3492](https://www.ecfr.gov/current/title-40/section-63.3492), and [63.3493](https://www.ecfr.gov/current/title-40/section-63.3493) that apply to you, the semiannual compliance report must include a statement that there were no deviations from the emission limitations during the reporting period. If you used the emission rate with add-on controls option or the control efficiency/outlet concentration option and there were no periods during which the continuous parameter monitoring systems (CPMS) were out of control as specified in [§ 63.8(c)(7)](https://www.ecfr.gov/current/title-40/section-63.8#p-63.8(c)(7)), the semiannual compliance report must include a statement that there were no periods during which the CPMS were out of control during the reporting period.

(5) ***Deviations: Compliant material option.*** If you used the compliant material option and there was a deviation from the applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490), the semiannual compliance report must contain the information in [paragraphs (a)(5)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(5)(i)) through [(v)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(5)(v)) of this section.

(i) Identification of each coating used that deviated from the emission limit, each thinner used that contained organic HAP, and the date, time, and duration each was used.

(ii) The calculation of the organic HAP content (using Equation 1 of [§ 63.3521](https://www.ecfr.gov/current/title-40/section-63.3521)) for each coating identified in [paragraph (a)(5)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(5)(i)) of this section. You do not need to submit background data supporting this calculation (*e.g.,* information provided by coating suppliers or manufacturers, or test reports).

(iii) The determination of mass fraction of organic HAP for each coating and thinner identified in [paragraph (a)(5)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(5)(i)) of this section. You do not need to submit background data supporting this calculation (*e.g.,* information provided by material suppliers or manufacturers, or test reports).

(iv) Before August 24, 2020, a statement of the cause of each deviation. On and after August 24, 2020, a statement of the cause of each deviation (including unknown cause, if applicable).

(v) On and after August 24, 2020, the number of deviations and, for each deviation, a list of the affected source or equipment, an estimate of the quantity of each regulated pollutant emitted over any applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490), a description of the method used to estimate the emissions, and the actions you took to minimize emissions in accordance with [§ 63.3500(b)](https://www.ecfr.gov/current/title-40/section-63.3500#p-63.3500(b)).

(6) ***Deviations: Emission rate without add-on controls option.*** If you used the emission rate without add-on controls option and there was a deviation from the applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490), the semiannual compliance report must contain the information in [paragraphs (a)(6)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(6)(i)) through [(iv)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(6)(iv)) of this section.

(i) The beginning and ending dates of each compliance period during which the 12-month organic HAP emission rate exceeded the applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490).

(ii) The calculations used to determine the 12-month organic HAP emission rate for the compliance period in which the deviation occurred. You must provide the calculations for Equations 1, 1A, 1B, 2, and 3 in [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531) or Equation 4 in [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531), if applicable; and, if applicable, the calculation used to determine mass of organic HAP in waste materials according to [§ 63.3531(e)(3)](https://www.ecfr.gov/current/title-40/section-63.3531#p-63.3531(e)(3)). You do not need to submit background data supporting these calculations (*e.g.,* information provided by materials suppliers or manufacturers, or test reports).

(iii) Before August 24, 2020, a statement of the cause of each deviation. On and after August 24, 2020, a statement of the cause of each deviation (including unknown cause, if applicable).

(iv) On and after August 24, 2020, the number of deviations, date, time, duration, a list of the affected source or equipment, an estimate of the quantity of each regulated pollutant emitted over any applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490), a description of the method used to estimate the emissions, and the actions you took to minimize emissions in accordance with [§ 63.3500(b)](https://www.ecfr.gov/current/title-40/section-63.3500#p-63.3500(b)).

(7) ***Deviations: Emission rate with add-on controls option.*** If you used the emission rate with add-on controls option and there was a deviation from the applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490) or the applicable operating limit(s) in Table 4 to this subpart (including any periods when emissions bypassed the add-on control device and were diverted to the atmosphere), before August 24, 2020, the semiannual compliance report must contain the information in [paragraphs (a)(7)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(i)) through [(xiv)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(xiv)) of this section. That includes periods of startup, shutdown, and malfunction during which deviations occurred. On and after August 24, 2020, the semiannual compliance report must contain the information in [paragraphs (a)(7)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(i)) through [(xii)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(xii)), [(a)(7)(xiv)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(xiv)), and [(a)(7)(xv)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(xv)) of this section. If you use the emission rate with add-on controls option and there was a deviation from the applicable work practice standards in [§ 63.3493(b)](https://www.ecfr.gov/current/title-40/section-63.3493#p-63.3493(b)), the semiannual compliance report must contain the information in [paragraph (a)(7)(xiii)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(xiii)) of this section.

(i) The beginning and ending dates of each compliance period during which the 12-month organic HAP emission rate exceeded the applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490).

(ii) The calculations used to determine the 12-month organic HAP emission rate for each compliance period in which a deviation occurred. You must provide the calculation of the total mass of organic HAP emissions for the coatings and thinners used each month, using Equations 1, 1A, and 1B of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531) and, if applicable, the calculation used to determine mass of organic HAP in waste materials according to [§ 63.3531(e)(3)](https://www.ecfr.gov/current/title-40/section-63.3531#p-63.3531(e)(3)); the calculation of the total volume of coating solids used each month, using Equation 2 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531); the calculation of the mass of organic HAP emission reduction each month by emission capture systems and add-on control devices, using Equations 1 and 1A through 1C of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541), and Equations 2, 3, 3A, and 3B of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541), as applicable; the calculation of the total mass of organic HAP emissions each month, using Equation 4 of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541); and the calculation of the 12-month organic HAP emission rate, using Equation 5 of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541), or Equation 4 in [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531), if applicable. You do not need to submit the background data supporting these calculations (*e.g.,* information provided by materials suppliers or manufacturers, or test reports).

(iii) The date and time that each malfunction of the capture system or add-on control devices started and stopped.

(iv) A brief description of the CPMS.

(v) The date of the latest CPMS certification or audit.

(vi) Before August 24, 2020, the date and time that each CPMS was inoperative, except for zero (low-level) and high-level checks. On and after August 24, 2020, the number of instances that the CPMS was inoperative, and for each instance, except for zero (low-level) and high-level checks, the date, time, and duration that the CPMS was inoperative; the cause (including unknown cause) for the CPMS being inoperative; and the actions you took to minimize emissions in accordance with [§ 63.3500(b)](https://www.ecfr.gov/current/title-40/section-63.3500#p-63.3500(b)).

(vii) Before August 24, 2020, the date, time, and duration that each CPMS was out of control, including the information in [§ 63.8(c)(8)](https://www.ecfr.gov/current/title-40/section-63.8#p-63.8(c)(8)). On and after August 24, 2020, the number of instances that the CPMS was out of control as specified in [§ 63.8(c)(7)](https://www.ecfr.gov/current/title-40/section-63.8#p-63.8(c)(7)) and, for each instance, the date, time, and duration that the CPMS was out-of-control; the cause (including unknown cause) for the CPMS being out-of-control; and descriptions of corrective actions taken.

(viii) Before August 24, 2020, the date and time period of each deviation from an operating limit in Table 4 to this subpart; date and time period of any bypass of the add-on control device; and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period. On and after August 24, 2020, the number of deviations from an operating limit in Table 4 to this subpart and, for each deviation, the date, time, and duration of each deviation; the date, time, and duration of any bypass of the add-on control device.

(ix) A summary of the total duration of each deviation from an operating limit in Table 4 to this subpart and each bypass of the add-on control device during the semiannual reporting period and the total duration as a percent of the total source operating time during that semiannual reporting period.

(x) Before August 24, 2020, a breakdown of the total duration of the deviations from the operating limits in Table 4 to this subpart and bypasses of the add-on control device during the semiannual reporting period into those that were due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes. On and after August 24, 2020, a breakdown of the total duration of the deviations from the operating limits in Table 4 to this subpart and bypasses of the add-on control device during the semiannual reporting period into those that were due to control equipment problems, process problems, other known causes, and other unknown causes.

(xi) A summary of the total duration of CPMS downtime during the semiannual reporting period and the total duration of CPMS downtime as a percent of the total source operating time during that semiannual reporting period.

(xii) A description of any changes in the CPMS, coating operation, emission capture system, or add-on control device since the last semiannual reporting period.

(xiii) Before August 24, 2020, for each deviation from the work practice standards, a description of the deviation; the date, and time period of the deviation; and the actions you took to correct the deviation. On and after August 24, 2020, for deviations from the work practice standards, the number of deviations, and, for each deviation, the information in [paragraphs (a)(7)(xiii)(A)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(xiii)(A)) and [(B)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(xiii)(B)) of this section:

(A) A description of the deviation; the date, time, and duration of the deviation; and the actions you took to minimize emissions in accordance with [§ 63.3500(b)](https://www.ecfr.gov/current/title-40/section-63.3500#p-63.3500(b)).

(B) The description required in [paragraph (a)(7)(xiii)(A)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(7)(xiii)(A)) of this section must include a list of the affected sources or equipment for which a deviation occurred and the cause of the deviation (including unknown cause, if applicable.

(xiv) Before August 24, 2020, a statement of the cause of each deviation. On and after August 24, 2020, for deviations from an emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490) or an operating limit in Table 4 to this subpart, a statement of the cause of each deviation (including unknown cause, if applicable) and the actions you took to minimize emissions in accordance with [§ 63.3500(b)](https://www.ecfr.gov/current/title-40/section-63.3500#p-63.3500(b)).

(xv) On and after August 24, 2020, for each deviation from an emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490) or operating limit in Table 4 to this subpart, a list of the affected sources or equipment for which a deviation occurred, an estimate of the quantity of each regulated pollutant emitted over any emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490) or operating limit in Table 4 to this subpart, and a description of the method used to estimate the emissions.

(8) ***Deviations: control efficiency/outlet concentration option.*** If you used the control efficiency/outlet concentration option, and there was a deviation from the applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490) or the applicable operating limit(s) in Table 4 to this subpart (including any periods when emissions bypassed the add-on control device and were diverted to the atmosphere), before August 24, 2020, the semiannual compliance report must contain the information in [paragraphs (a)(8)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(i)) through [(xii)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(xii)) of this section. This includes periods of startup, shutdown, and malfunction during which deviations occurred. On and after August 24, 2020, the semiannual compliance report must specify the number of deviations during the compliance period and contain the information in [paragraphs (a)(8)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(i)) through [(x)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(x)), [(xii)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(xii)), and [(xiii)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(xiii)) of this section. If you use the control efficiency/outlet concentration option and there was a deviation from the applicable work practice standards in [§ 63.3493(b)](https://www.ecfr.gov/current/title-40/section-63.3493#p-63.3493(b)), the semiannual compliance report must contain the information in [paragraph (a)(8)(xi)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(xi)) of this section.

(i) The date and time that each malfunction of the capture system or add-on control devices started and stopped.

(ii) A brief description of the CPMS.

(iii) The date of the latest certification or audit of the CPMS.

(iv) Before August 24, 2020, the date and time that each CPMS was inoperative, except for zero (low-level) and high-level checks. On and after August 24, 2020, for each instance that the CPMS was inoperative, except for zero (low-level) and high-level checks, the date, time, and duration that the CPMS was inoperative; the cause (including unknown cause) for the CPMS being inoperative; and the actions you took to minimize emissions in accordance with [§ 63.3500(b)](https://www.ecfr.gov/current/title-40/section-63.3500#p-63.3500(b)).

(v) For each instance that the CPMS was out of control as specified in [§ 63.8(c)(7)](https://www.ecfr.gov/current/title-40/section-63.8#p-63.8(c)(7)), the date, time, and duration that the CPMS was out of control; the cause (including unknown cause) for the CPMS being out of control; and the actions you took to minimize emissions in accordance with [§ 63.3500(b)](https://www.ecfr.gov/current/title-40/section-63.3500#p-63.3500(b)).

(vi) Before August 24, 2020, the date and time period of each deviation from an operating limit in Table 4 to this subpart; date and time of any bypass of the add-on control device; and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period. On and after August 24, 2020, the date, time, and duration of each deviation from an operating limit in Table 4 to this subpart; and the date, time, and duration of any bypass of the add-on control device.

(vii) A summary of the total duration of each deviation from an operating limit in Table 4 to this subpart and each bypass of the add-on control device during the semiannual reporting period and the total duration as a percent of the total source operating time during that semiannual reporting period.

(viii) Before August 24, 2020, a breakdown of the total duration of the deviations from the operating limits in Table 4 to this subpart and bypasses of the add-on control device during the semiannual reporting period into those that were due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes. On and after August 24, 2020, a breakdown of the total duration of the deviations from the operating limits in Table 4 to this subpart and bypasses of the add-on control device during the semiannual reporting period into those that were due to control equipment problems, process problems, other known causes, and other unknown causes.

(ix) A summary of the total duration of CPMS downtime during the semiannual reporting period and the total duration of CPMS downtime as a percent of the total source operating time during that semiannual reporting period.

(x) A description of any changes in the CPMS, coating operation, emission capture system, or add-on control device since the last semiannual reporting period.

(xi) Before August 24, 2020, for each deviation from the work practice standards, a description of the deviation; the date and time period of the deviation; and the actions you took to correct the deviation. On and after August 24, 2020, for deviations from the work practice standards in [§ 63.3493(b)](https://www.ecfr.gov/current/title-40/section-63.3493#p-63.3493(b)), the number of deviations, and, for each deviation, the information in [paragraphs (a)(8)(xiii)(A)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(xiii)(A)) and [(B)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(xiii)(B)) of this section:

(A) A description of the deviation; the date, time, and duration of the deviation; and the actions you took to minimize emissions in accordance with [§ 63.3500(b)](https://www.ecfr.gov/current/title-40/section-63.3500#p-63.3500(b)).

(B) The description required in [paragraph (a)(8)(xi)(A)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)(xi)(A)) of this section must include a list of the affected sources or equipment for which a deviation occurred and the cause of the deviation (including unknown cause, if applicable).

(xii) Before August 24, 2020, a statement of the cause of each deviation. On and after August 24, 2020, for deviations from an emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490) or operating limit in Table 4 to this subpart, a statement of the cause of each deviation (including unknown cause, if applicable).

(xiii) On and after August 24, 2020, for each deviation from an emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490) or operating limit in Table 4 to this subpart, a list of the affected sources or equipment for which a deviation occurred, an estimate of the quantity of each regulated pollutant emitted over any emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490), and a description of the method used to estimate the emissions.

(b) ***Performance test reports.*** If you use the emission rate with add-on controls option or the control efficiency/outlet concentration option, you must submit reports of performance test results for emission capture systems and add-on control devices no later than 60 days after completing the tests as specified in [§ 63.10(d)(2)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(d)(2)).

(c) ***Startup, shutdown, malfunction reports.*** Before August 24, 2020, if you used the emission rate with add-on controls option or the control efficiency/outlet concentration option and you had a startup, shutdown, or malfunction during the semiannual reporting period, you must submit the reports specified in [paragraphs (c)(1)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(c)(1)) and [(2)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(c)(2)) of this section. On and after August 24, 2020, the reports specified in [paragraphs (c)(1)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(c)(1)) and [(2)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(c)(2)) of this section are not required.

(1) If your actions were consistent with your SSMP, you must include the information specified in [§ 63.10(d)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(d)) in the semiannual compliance report required by [paragraph (a)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)) of this section.

(2) If your actions were not consistent with your SSMP, you must submit an immediate startup, shutdown, and malfunction report as described in [paragraphs (c)(2)(i)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(c)(2)(i)) and [(ii)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(c)(2)(ii)) of this section.

(i) You must describe the actions taken during the event in a report delivered by facsimile, telephone, or other means to the Administrator within 2 working days after starting actions that are inconsistent with the SSMP.

(ii) You must submit a letter to the Administrator within 7 working days after the end of the event, unless you have made alternative arrangements with the Administrator as specified in [§ 63.10(d)(5)(ii)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(d)(5)(ii)). The letter must contain the information specified in [§ 63.10(d)(5)(ii)](https://www.ecfr.gov/current/title-40/section-63.10#p-63.10(d)(5)(ii)).

(d) On and after August 24, 2020, you must submit the results of the performance test required in [§§ 63.3540](https://www.ecfr.gov/current/title-40/section-63.3540) and [63.3550](https://www.ecfr.gov/current/title-40/section-63.3550) following the procedure specified in [paragraphs (d)(1)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(d)(1)) through [(3)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(d)(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 website ([*https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert*](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). The CEDRI interface can be accessed through the EPA's Central Data Exchange (CDX) ([*https://cdx.epa.gov/*](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 website.

(2) 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 in portable document format (PDF) using the attachment module of the ERT.

(3) If you claim that some of the performance test information being submitted under [paragraph (d)(1)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(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 website, 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/OAPQS/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)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(c)(1)) of this section.

**§ 63.3512 What records must I keep?**

(a) A copy of each notification and report that you submitted to comply with this subpart and the documentation supporting each notification and report.

(b) A current copy of information provided by materials suppliers or manufacturers, such as manufacturer's formulation data, or test data used to determine the mass fraction of organic HAP and density for each coating and thinner and the volume fraction of coating solids for each coating. If you conducted testing to determine mass fraction of organic HAP, density, or volume fraction of coating solids, you must keep a copy of the complete test report. If you use information provided to you by the manufacturer or supplier of the material that was based on testing, you must keep the summary sheet of results provided to you by the manufacturer or supplier. You are not required to obtain the test report or other supporting documentation from the manufacturer or supplier.

(c) For each compliance period, the records specified in [paragraphs (c)(1)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(c)(1)) through [(4)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(c)(4)) of this section.

(1) A record of the coating operations at which you used each compliance option and the time periods (beginning and ending dates and times) you used each option.

(2) For the compliant material option, a record of the calculation of the organic HAP content for each coating, using Equation 1 of [§ 63.3521](https://www.ecfr.gov/current/title-40/section-63.3521).

(3) For the emission rate without add-on controls option, a record of the calculation of the total mass of organic HAP emissions for the coatings and thinners used each month, using Equations 1, 1A, 1B, and 2 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531) and, if applicable, the calculation used to determine mass of organic HAP in waste materials according to [§ 63.3531(e)(3)](https://www.ecfr.gov/current/title-40/section-63.3531#p-63.3531(e)(3)); the calculation of the total volume of coating solids used each month, using Equation 2 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531); and the calculation of each 12-month organic HAP emission rate, using Equation 3 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531), or Equation 4 in [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531), if applicable.

(4) For the emission rate with add-on controls option, records of the calculations specified in [paragraphs (c)(4)(i)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(c)(4)(i)) through [(vi)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(c)(4)(vi)) of this section.

(i) The calculation of the total mass of organic HAP emissions for the coatings and thinners used each month, using Equations 1, 1A, and 1B of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531) and, if applicable, the calculation used to determine mass of organic HAP in waste materials according to [§ 63.3531(e)(3)](https://www.ecfr.gov/current/title-40/section-63.3531#p-63.3531(e)(3)).

(ii) The calculation of the total volume of coating solids used each month, using Equation 2 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531).

(iii) The calculation of the mass of organic HAP emission reduction by emission capture systems and add-on control devices, using Equations 1 and 1A through 1C of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541), and Equations 2, 3, 3A, and 3B of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541), as applicable.

(iv) The calculation of the total mass of organic HAP emissions each month, using Equation 4 of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541).

(v) The calculation of each 12-month organic HAP emission rate, using Equation 5 of [§ 63.3541](https://www.ecfr.gov/current/title-40/section-63.3541).

(vi) The OSEL calculation, if applicable, using Equation 4 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531).

(5) For the control efficiency/outlet concentration option, records of the measurements made by the CPMS used to demonstrate compliance. For any coating operation(s) for which you use this option, you do not have to keep the records specified in [paragraphs (d)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(d)) through [(g)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(g)) of this section.

(d) A record of the name and volume of each coating and thinner used during each compliance period.

(e) A record of the mass fraction of organic HAP for each coating and thinner used during each compliance period.

(f) A record of the volume fraction of coating solids for each coating used during each compliance period.

(g) A record of the density for each coating used during each compliance period; and, if you use either the emission rate without add-on controls or the emission rate with add-on controls compliance option, the density for each thinner used during each compliance period.

(h) If you use an allowance in Equation 1 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531) for organic HAP contained in waste materials sent to or designated for shipment to a treatment, storage, and disposal facility (TSDF) according to [§ 63.3531(e)(3)](https://www.ecfr.gov/current/title-40/section-63.3531#p-63.3531(e)(3)) or otherwise managed in accordance with applicable Federal and State waste management regulations, you must keep records of the information specified in [paragraphs (h)(1)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(h)(1)) through [(3)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(h)(3)) of this section.

(1) The name and address of each TSDF or other applicable waste management location to which you sent waste materials for which you use an allowance in Equation 1 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531), a statement of which subparts under [40 CFR parts 262](https://www.ecfr.gov/current/title-40/part-262), [264](https://www.ecfr.gov/current/title-40/part-264), [265](https://www.ecfr.gov/current/title-40/part-265), and [266](https://www.ecfr.gov/current/title-40/part-266) apply to the facility and the date of each shipment.

(2) Identification of the coating operations producing waste materials included in each shipment and the month or months in which you used the allowance for these materials in Equation 1 of [§ 63.3531](https://www.ecfr.gov/current/title-40/section-63.3531).

(3) The methodology used in accordance with [§ 63.3531(e)(3)](https://www.ecfr.gov/current/title-40/section-63.3531#p-63.3531(e)(3)) to determine the total amount of waste materials sent to or the amount collected, stored, and designated for transport to a TSDF or other applicable waste management location each month and the methodology to determine the mass of organic HAP contained in these waste materials. That must include the sources for all data used in the determination, methods used to generate the data, frequency of testing or monitoring, and supporting calculations and documentation, including the waste manifest for each shipment.

(i) Before August 24, 2020, a record of the date, time, and duration of each deviation. On and after August 24, 2020, for each deviation from an emission limitation reported under [§ 63.3511(a)(5)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(5)) through [(8)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)), a record of the information specified in [paragraphs (i)(1)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(i)(1)) through [(4)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(i)(4)) of this section, as applicable.

(1) The date, time, and duration of the deviation, as reported under [§ 63.3511(a)(5)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(5)) through [(8)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)).

(2) A list of the affected sources or equipment for which the deviation occurred and the cause of the deviation, as reported under [§ 63.3511(a)(5)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(5)) through [(8)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)).

(3) An estimate of the quantity of each regulated pollutant emitted over any applicable emission limit in [§ 63.3490](https://www.ecfr.gov/current/title-40/section-63.3490) or any applicable operating limit in Table 4 to this subpart, and a description of the method used to calculate the estimate, as reported under [§ 63.3511(a)(5)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(5)) through [(8)](https://www.ecfr.gov/current/title-40/section-63.3511#p-63.3511(a)(8)).

(4) A record of actions taken to minimize emissions in accordance with [§ 63.3500(b)](https://www.ecfr.gov/current/title-40/section-63.3500#p-63.3500(b)) and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(j) If you use the emission rate with add-on controls option or the control efficiency/outlet concentration option, you must also keep the records specified in [paragraphs (j)(1)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(j)(1)) through [(8)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(j)(8)) of this section.

(1) Before August 24, 2020, for each deviation, a record of whether the deviation occurred during a period of startup, shutdown, or malfunction. On and after August 24, 2020, a record of whether the deviation occurred during a period of startup, shutdown, or malfunction is not required.

(2) Before August 24, 2020, the records in [§ 63.6(e)(3)(iii)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(3)(iii)) through [(v)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(3)(v)) related to startup, shutdown, and malfunction. On and after August 24, 2020, the records in [§ 63.6(e)(3)(iii)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(3)(iii)) through [(v)](https://www.ecfr.gov/current/title-40/section-63.6#p-63.6(e)(3)(v)) related to startup, shutdown, and malfunction are not required.

(3) The records required to show continuous compliance with each operating limit specified in Table 4 to this subpart that applies to you.

(4) For each capture system that is a PTE, the data and documentation you used to support a determination that the capture system meets the criteria in Method 204 of appendix M to 40 CFR part 51 for a PTE and has a capture efficiency of 100 percent, as specified in [§ 63.3544(a)](https://www.ecfr.gov/current/title-40/section-63.3544#p-63.3544(a)).

(5) For each capture system that is not a PTE, the data and documentation you used to determine capture efficiency according to the requirements specified in [§§ 63.3543](https://www.ecfr.gov/current/title-40/section-63.3543) and [63.3544(b)](https://www.ecfr.gov/current/title-40/section-63.3544#p-63.3544(b)) through [(e)](https://www.ecfr.gov/current/title-40/section-63.3544#p-63.3544(e)) including the records specified in [paragraphs (j)(5)(i)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(j)(5)(i)) through [(iii)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(j)(5)(iii)) of this section that apply to you.

(i) ***Records for a liquid-to-uncaptured-gas protocol using a temporary total enclosure or building enclosure.*** Records of the mass of total volatile hydrocarbon (TVH) as measured by Method 204A or F of appendix M to 40 CFR part 51 for each material used in the coating operation and the total TVH for all materials used during each capture efficiency test run including a copy of the test report. Records of the mass of TVH emissions not captured by the capture system that exited the temporary total enclosure (TTE) or building enclosure during each capture efficiency test run, as measured by Method 204D or E of appendix M to 40 CFR part 51, including a copy of the test report. Records documenting that the enclosure used for the capture efficiency test met the criteria in Method 204 of appendix M to 40 CFR part 51 for either a TTE or a building enclosure.

(ii) ***Records for a gas-to-gas protocol using a temporary total enclosure or a building enclosure.*** Records of the mass of TVH emissions captured by the emission capture system as measured by Method 204B or C of appendix M to 40 CFR part 51 at the inlet to the add-on control device including a copy of the test report. Records of the mass of TVH emissions not captured by the capture system that exited the TTE or building enclosure during each capture efficiency test run as measured by Method 204D or E of appendix M to 40 CFR part 51 including a copy of the test report. Records documenting that the enclosure used for the capture efficiency test met the criteria in Method 204 of appendix M to 40 CFR part 51 for either a TTE or a building enclosure.

(iii) ***Records for an alternative protocol.*** Records needed to document a capture efficiency determination using an alternative method or protocol as specified in [§ 63.3544(e)](https://www.ecfr.gov/current/title-40/section-63.3544#p-63.3544(e)) if applicable.

(6) The records specified in [paragraphs (j)(6)(i)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(j)(6)(i)) and [(ii)](https://www.ecfr.gov/current/title-40/section-63.3512#p-63.3512(j)(6)(ii)) of this section for each add-on control device organic HAP destruction or removal efficiency determination as specified in [§ 63.3545](https://www.ecfr.gov/current/title-40/section-63.3545) or [§ 63.3555](https://www.ecfr.gov/current/title-40/section-63.3555).

(i) Records of each add-on control device performance test conducted according to [§ 63.3543](https://www.ecfr.gov/current/title-40/section-63.3543) or [§§ 63.3553](https://www.ecfr.gov/current/title-40/section-63.3553) and [63.3545](https://www.ecfr.gov/current/title-40/section-63.3545) or [§ 63.3555](https://www.ecfr.gov/current/title-40/section-63.3555).

(ii) Records of the coating operation conditions during the add-on control device performance test showing that the performance test was conducted under representative operating conditions.

(7) Records of the data and calculations you used to establish the emission capture and add-on control device operating limits as specified in [§ 63.3546](https://www.ecfr.gov/current/title-40/section-63.3546) or [§ 63.3556](https://www.ecfr.gov/current/title-40/section-63.3556) and to document compliance with the operating limits as specified in Table 4 to this subpart.

(8) A record of the work practice plan required by [§ 63.3493](https://www.ecfr.gov/current/title-40/section-63.3493) and documentation that you are implementing the plan on a continuous basis.