

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 29, 2024. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: August 26, 2024.

Debra Shore,
Regional Administrator, Region 5.

For the reasons stated in the preamble, title 40 CFR part 52 is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

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

■ 2. Section 52.2591 is amended by:

- a. Revising paragraph (i); and
- b. Removing and reserving paragraph (l).

The revision reads as follows:

§ 52.2591 Section 110(a)(2) Infrastructure Requirements.

* * * * *

(i) Approval—In September 14, 2018, and August 3, 2022, submissions, WDNR certified that the state has satisfied the infrastructure SIP requirements of section 110(a)(2)(A) through (H), and (J) through (M) for the 2015 ozone NAAQS. For section 110(a)(2)(D)(i)(I), prong 1 is approved and prong 2 is disapproved.

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[FR Doc. 2024–19548 Filed 8–29–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60 and 63

[EPA–HQ–OAR–2022–0879; FRL–8899–02–OAR]

RIN 2060–AV40

National Emission Standards for Hazardous Air Pollutants: Reciprocating Internal Combustion Engines and New Source Performance Standards: Internal Combustion Engines; Electronic Reporting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Reciprocating Internal Combustion Engines (RICE), the New Source Performance Standards (NSPS) for Stationary Compression Ignition (CI) Internal Combustion Engines, and the NSPS for Stationary Spark Ignition (SI) Internal Combustion Engines, to add electronic reporting provisions. The addition of electronic reporting provisions will provide for simplified reporting by sources and enhance availability of data on sources to the EPA and the public. In addition, a small number of clarifications and corrections to these rules are being finalized to provide clarification and correct inadvertent and other minor errors in the Code of Federal Regulations (CFR), particularly related to tables.

DATES: This final rule is effective on August 30, 2024.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2022–0879. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Christopher Werner, Sector Policies and Programs Division (D243–01), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, North Carolina 27711;

telephone number: (919) 541–5133; and email address: werner.christopher@epa.gov.

SUPPLEMENTARY INFORMATION:

Organization of this document. The information in this preamble is organized as follows:

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 - J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing our Nation's Commitment to Environmental Justice for All
 - K. Congressional Review Act (CRA)

I. General Information

A. Does this action apply to me?

Categories and entities potentially regulated by this action include industries using stationary engines, including both compression and spark ignition internal combustion engines, such as: Electric power generation, transmission, or distribution; Medical and surgical hospitals; Natural gas transmission; Crude petroleum and

natural gas production; Natural gas liquids producers; and National security. North American Industry Classification System Codes of potentially regulated industries may include 2211, 622110, 48621, 211111, 211112, and 92811. This list is not intended to be exhaustive, but rather to provide a guide for readers regarding entities likely to be affected by the action for the source category listed. To determine whether your facility is affected, you should examine the applicability criteria in the rules. If you have any questions regarding the applicability of any aspect of this action, please contact the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section of this preamble.

B. Where can I get a copy of this document and other related information?

In addition to being available in the docket, an electronic copy of this final action is available on the internet at <https://www.epa.gov/stationary-engines>. Following publication in the **Federal Register**, the EPA will post the **Federal Register** version of the final rule and key technical documents at this same website.

C. Judicial Review and Administrative Review

Under Clean Air Act (CAA) section 307(b)(1), judicial review of this final action is available only by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit (the court) by October 29, 2024. Under CAA section 307(b)(2), the requirements established by this final rule may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce the requirements.

Section 307(d)(7)(B) of the CAA further provides that “[o]nly an objection to a rule or procedure which was raised with reasonable specificity during the period for public comment (including any public hearing) may be raised during judicial review.” This section also provides a mechanism for the EPA to convene a proceeding for reconsideration, “[i]f the person raising an objection can demonstrate to the EPA that it was impracticable to raise such objection within [the period for public comment] or if the grounds for such objection arose after the period for public comment, (but within the time specified for judicial review) and if such objection is of central relevance to the outcome of the rule.” Any person seeking to make such a demonstration to us should submit a Petition for Reconsideration to the Office of the

Administrator, U.S. Environmental Protection Agency, Room 3000, WJC West Building, 1200 Pennsylvania Ave. NW, Washington, DC 20460, with a copy to both the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section, and the Associate General Counsel for the Air and Radiation Law Office, Office of General Counsel (Mail Code 2344A), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

II. Background

Stationary engines are used in a variety of applications from generating electricity to powering pumps and compressors in power and manufacturing plants. They are also used in the event of an emergency such as fire or flood. The key air pollutants the EPA regulates from these sources include formaldehyde, acetaldehyde, acrolein, methanol, polycyclic aromatic hydrocarbon, volatile organic compounds, carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and hydrocarbons.

A CI engine, or diesel engine, is a type of engine in which the fuel injected into the combustion chamber is ignited by a heat resulting from the compression of gases inside the cylinder. A SI engine is a type of engine in which the fuel-air mixture in the combustion chamber is ignited by a spark from a spark plug.

The NESHAP for RICE is codified in 40 CFR part 63, subpart ZZZZ, which was first promulgated in 2004. The NSPS for Stationary CI Internal Combustion Engines (ICE) is codified in 40 CFR part 60, subpart IIII, which was first promulgated in 2006. The NSPS for Stationary SI Internal Combustion Engines is codified in 40 CFR part 60, subpart JJJJ, which was first promulgated in 2008. All have been amended several times since promulgation.

III. What changes did we propose and what changes are we finalizing?

A. Summary of Actions Proposed

On June 26, 2023 (88 FR 41361), the EPA proposed the following pursuant to CAA sections 111 and 112: addition of requirements for electronic reporting to 40 CFR part 60, subpart IIII, 40 CFR part 60, subpart JJJJ, and 40 CFR part 63, subpart ZZZZ; clarifications to table 4 in 40 CFR part 60, subpart IIII due to incorrect display in the CFR; the correction of inadvertent errors in 40 CFR part 63, subpart ZZZZ, specifically in 40 CFR 63.6625(j) the need to reference additional line items in table 2d; and clarifications to the oil change

requirements for certain engines as referenced in 40 CFR part 63, subpart ZZZZ, tables 2c and 2d. The following sections discuss the proposed changes in more detail, along with significant comments received and the EPA's response to those comments, and the final amendments to the rules, including any changes to what was proposed that are being made as a result of comments received. For additional comments and responses, please see the document, *Summary of Public Comments and EPA's Responses National Emission Standards for Hazardous Air Pollutants: Reciprocating Internal Combustion Engines and New Source Performance Standards: Internal Combustion Engines; Electronic Reporting*, available in the docket for this action. The EPA also solicited comments to aid in its consideration of the appropriate next steps following remand of the provisions specifying that emergency engines can operate for up to 50 hours per year to mitigate local transmission and/or distribution limitations to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region by the court. The EPA appreciates the comments and information that were provided during the public comment period and will consider them as it assesses the appropriate path forward but is not responding to these comments or taking further action on these provisions at this time.

B. Electronic Reporting

The EPA proposed that owners and operators of stationary engines subject to NSPS subparts IIII or JJJJ, or NESHAP subpart ZZZZ, submit electronic copies of certain initial notifications of compliance, performance test reports, Notification of Compliance Status (NOCS), and annual and semiannual compliance reports through the EPA's Central Data Exchange (CDX) using the Compliance and Emissions Data Reporting Interface (CEDRI). A description of the electronic data submission process was provided in the memorandum *Electronic Reporting Requirements for New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) Rules* and was placed in the docket at the time of proposal. The EPA proposed that the initial notification of compliance be submitted through CEDRI, that performance test results collected using test methods that are supported by the EPA's Electronic Reporting Tool (ERT) as listed on the

ERT website¹ at the time of the test be submitted in the format generated through the use of the ERT or an electronic file consistent with the extensible markup language (XML) schema on the ERT website, and that other performance test results be submitted in portable document format (PDF) using the attachment module of the ERT. The EPA also proposed that NOCS for NESHAP subpart ZZZZ be submitted as a PDF upload in CEDRI.

For annual and semiannual compliance reports, the EPA proposed that owners and operators use the appropriate spreadsheet template to submit information to CEDRI. Draft versions of the proposed templates for these reports were included in the docket at the time of proposal.² The EPA specifically requested comment on the content, layout, and overall design of the templates.

Additionally, the EPA identified two broad circumstances in which electronic reporting extensions may be provided. These circumstances were: (1) outages of the EPA's CDX or CEDRI which preclude an owner or operator from accessing the system and submitting required reports and (2) force majeure events, which are defined as events that will be or have been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevent an owner or operator from complying with the requirement to submit a report electronically. Examples of force majeure events are acts of nature, acts of war or terrorism, or equipment failure or safety hazards beyond the control of the facility. The EPA provided these potential extensions to protect owners and operators from noncompliance in cases where they cannot successfully submit a report by the reporting deadline for reasons outside of their control. In both circumstances, the decision to accept the claim of needing additional time to report is within the discretion of the Administrator, and reporting should occur as soon as possible.

As described in the proposed rulemaking, the electronic submittal of the reports addressed in this final rule will increase the usefulness of the data contained in those reports, is in keeping with current trends in data availability and transparency, will further assist in

the protection of public health and the environment, will improve compliance by facilitating the ability of regulated facilities to demonstrate compliance with requirements and by facilitating the ability of delegated State, local, Tribal, and territorial air agencies and the EPA to assess and determine compliance, and will ultimately reduce burden on regulated facilities, delegated air agencies, and the EPA. Electronic reporting eliminates paper-based, manual processes, thereby saving time and resources, simplifying data entry, eliminating redundancies, minimizing data reporting errors, and providing data quickly and accurately to the affected facilities, air agencies, the EPA, and the public. Moreover, electronic reporting is consistent with the EPA's plan³ to implement Executive Order 13563 and is in keeping with the EPA's agency-wide policy⁴ developed in response to the White House's Digital Government Strategy.⁵ For more information on the benefits of electronic reporting, see the memorandum *Electronic Reporting Requirements for New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) Rules*, available in the docket for this action.

As part of the electronic reporting effort, reporting requirements in NESHAP subpart ZZZZ were clarified and adjusted to be consistent for all engine types as well as to provide specificity in units of measure and to provide consistency between the NSPS and the NESHAP. With these changes, the regulatory text in 40 CFR part 63, subpart ZZZZ at 40 CFR 63.6650 now includes all the applicable data elements required by 40 CFR 63.10(e)(3), and the general provisions applicability table is being revised to reflect that 40 CFR 63.10(e)(3) is no longer applicable.

We received comments both in support of, and opposed to, the addition of electronic reporting provisions, as well as several comments regarding the draft electronic reporting templates that were made available in the docket. In

response to these comments, we made some clarifying changes to the templates. We address and respond to these comments in detail in the response to comment document available in the docket for this action.

One clarifying change made in response to comments was to alter the regulatory text and the corresponding entry in the final reporting template for subpart ZZZZ to require the year the engine was constructed, rather than the specific date. Additionally, if the exact year is unknown, an estimate can be provided.

The Department of Defense (DoD) commented that all templates provided for review have a requirement to provide the latitude and longitude of the engine in decimal degrees reported to the fifth decimal place, but due to the present-day public availability of electronic data files, DoD is concerned that disclosing the location of certain engines used by the commenter can compromise national security. The comment requested the EPA consider including an option for template latitude and longitude data fields that would allow an installation to label critical system geolocation data as "confidential" or "national security information." By offering such an option, the commenter's national security data would not be disclosed or retrievable through publicly available agency (Federal/state/local/tribal) electronic data systems.

The EPA agrees that the exact location of engines should not be reported if the location should remain confidential due to national security concerns. The EPA has clarified for the final rule that if disclosure of the exact location of an engine that is owned by or operated by or for an agency of the Federal Government that is responsible for national defense would be a threat to national security, the filer may claim a national security exemption, which will allow the latitude and longitude fields in the reporting template to be left blank. A corresponding revision is also being made to the regulatory text. It should be noted that the reports still contain the address of the facility at which the engine(s) are located.⁶

⁶ The comment also suggested that the EPA should establish criteria for access to precise geolocation of sources in all appropriate stationary engine (NESHAP and NSPS) rules. The EPA does not find it necessary to adopt such criteria at this time, particularly since facility address data is still required to be reported but will work with other agencies to address this issue in the future if it becomes appropriate.

¹ <https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>.

² See 60.4214d3 annual report bulk upload template ICRDraft.xlsx, 60.4245e3 annual report bulk upload template ICRDraft.xlsx, and 63.6650 h and i Compliance Report Template ICRDraft.xlsx, available at Docket ID. No. EPA-HQ-OAR-2022-0879.

³ EPA's Final Plan for Periodic Retrospective Reviews, August 2011. Available at: <https://www.regulations.gov/document?D=EPA-HQ-OA-2011-0156-0154>.

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

⁵ Digital Government: Building a 21st Century Platform to Better Serve the American People, May 2012. Available at: <https://obamawhitehouse.archives.gov/sites/default/files/omb/egov/digital-government/digital-government.html>.

C. Clarifications to Table 4 in NSPS Subpart IIII

Since it was originally published in the CFR, “Table 4 to Subpart IIII of Part 60—Emission Standards for Stationary Fire Pump Engines” has been confusing to the public because it shows blank cells for the CO standard for certain engine model years. The table intended to show that the same CO standard applies for all model years. The table was not intended to be displayed in this

manner and the current version simply reflects a mismatch between what was submitted by the EPA and what was able to be shown in the CFR. The EPA invited comment on whether any other aspect of this table was confusing or incorrect (it was shown as table 1 in the preamble of the proposal), but we did not solicit comment on any proposed changes to the standards themselves.

We received comment supporting the clarified table and further suggesting that the units of the engine emission

standards be added, similar to how the units are currently shown in tables 1 and 2 of 40 CFR part 60, subpart IIII, to prevent any potential confusion regarding the applicable emission standards. We agree that this suggestion would provide further clarification and prevent additional confusion. We are, therefore, finalizing the clarifications to this table as proposed and additionally placing units in the column heading of the table as shown in table 1 of this document.

TABLE 1—CLARIFIED VERSION OF “TABLE 4 TO SUBPART IIII OF PART 60—EMISSION STANDARDS FOR STATIONARY FIRE PUMP ENGINES”

Maximum engine power	Model year(s)	Emission standards for stationary fire pump engines in g/KW-hr (g/HP-hr)		
		NMHC + NO _x	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
KW<8 (HP<11)	2011 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
8≤KW<19 (11≤HP<25)	2011 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	2011 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)
37≤KW<56 (50≤HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
37≤KW<56 (50≤HP<75)	2011 + ¹	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
56≤KW<75 (75≤HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
56≤KW<75 (75≤HP<100)	2011 + ¹	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
75≤KW<130 (100≤HP<175)	2010 + ²	4.0 (3.0)	5.0 (3.7)	0.30 (0.22)
130≤KW<225 (175≤HP<300)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
130≤KW<225 (175≤HP<300)	2009 + ³	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
225≤KW<450 (300≤HP<600)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
225≤KW<450 (300≤HP<600)	2009 + ³	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
450≤KW≤560 (600≤HP≤750)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)	2009 +	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
KW≤560 (HP>750)	2007 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
KW≤560 (HP>750)	2008 +	6.4 (4.8)	3.5 (2.6)	0.20 (0.15)

¹ For model years 2011–2013, manufacturers, owners, and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

² For model years 2010–2012, manufacturers, owners, and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

³ In model years 2009–2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

D. Correction of Inadvertent Errors in NESHAP Subpart ZZZZ

As it appeared in the CFR at the time of the proposal, table 2d in 40 CFR part 63, subpart ZZZZ correctly indicated multiple SI engine types for which oil change requirements apply. Specifically, table 2d’s item numbers 5, 6, 7, 8, 10, 11, and 13 all indicated SI engine types for which these requirements apply. When this table was last revised,⁷ corresponding changes to 40 CFR 63.6625(j) were inadvertently not made. As a result, the version of 40 CFR 63.6625(j), which specifies that an oil analysis program can be used to extend the oil change requirements, referred to an incorrect set of table 2d’s item numbers.

Therefore, the EPA proposed to amend 40 CFR 63.6625(j) to include the correct list of table 2d’s item numbers, specifically 5, 6, 7, 8, 10, 11, and 13, that indicate SI engine types for which oil change requirements apply.

We received no comments opposing this correction and received only one comment in general support of it. Therefore, we are finalizing the correction as proposed.

E. Clarifications to the Oil Change Requirement in NESHAP Subpart ZZZZ

As indicated in tables 2c and 2d of 40 CFR part 63, subpart ZZZZ, several types of CI and SI engines are subject to oil change requirements. The number of hours of operation allowed between oil changes stated in the requirement vary by engine type. However, in each

instance, the requirement that appeared in the CFR at the time of the proposal was phrased in the form: “Change oil and filter every X,XXX hours of operation or annually, whichever comes first.”

The EPA receives frequent inquiries from regulated entities regarding these provisions, most often revolving around the meaning of the term “annually.” For example, regulated entities sometimes inquire whether “annually” means “every calendar year.” In such a case, the inquiry amounts to essentially whether an oil change could hypothetically be conducted on January 1, 2019, and the next oil change could then be conducted on December 31, 2020, since 2020 is the calendar year that falls immediately after 2019 (this assumes of course that X,XXX hours of

⁷ 78 FR 6709 (January 30, 2013).

operation has not occurred). In such a scenario, however, these two hypothetical oil changes will have actually occurred almost exactly 2 years apart, minus a day.

This is not what the EPA intended with the use of the term “annually” in tables 2c and 2d of 40 CFR part 63, subpart ZZZZ. It is important for oil changes to occur as close as possible to 12 months apart to minimize emissions, absent use of the oil analysis programs afforded by 40 CFR 63.6625(i) and (j). The same language of “annually” also appears in these tables related to items such as spark plug, air cleaner, and hose and belt inspections, and similar concerns about emissions and engine reliability apply. Therefore, the EPA proposed to replace each instance of use of the term “annually” in tables 2c and 2d with the term “every 12 months.”⁸

The EPA received a number of comments on this issue, which are detailed in the response to comment document available in the docket. While some comments were generally supportive of the EPA’s proposed change, commenters asked for additional flexibility beyond that afforded by the proposed language, mainly due to concerns about performing oil changes within a tight window in the case of unforeseen events or due to scheduling concerns for maintenance personnel or contractor availability. Most commenters favored an additional month of flexibility beyond the 12-month deadline.⁹ After considering these comments, we are making adjustments to the final language to state “within 1 year + 30 days of the previous change” (and, in the case of items such as spark plug, air cleaner, and hose and belt inspections, “within 1 year + 30 days of the previous inspection”) in lieu of the current “annually.” The EPA continues to believe that it is appropriate for oil changes to be performed annually (*i.e.*, after 365 days) but is balancing the need for timely oil changes for proper emissions control against the practical concerns raised by commenters

regarding scheduling oil changes in a tight window. Pursuant to this revised text, an oil change could hypothetically be conducted on June 1, 2025, and the next oil change could then be conducted anywhere from June 2, 2025, to July 1, 2026, and be in compliance with the regulations. The EPA also finds that this revised language will address the request by some commenters for more clarity as to the deadline for oil changes. As explained at proposal, it is worthwhile to note that the EPA occasionally receives questions as to whether regulated entities that adopt the oil analysis program in 40 CFR 63.6625(i) or (j) must change the oil filter on a more frequent basis than the oil is changed even when the oil analysis program indicates condemning limits have not yet been reached for Total Acid or Total Base Number, viscosity, and percent water content. We are clarifying that regulated entities that adopt the oil analysis program must change the oil filter for these generators when changing the oil and are not required to change the filter prior to changing the oil. We received no comments opposing this clarification. The intention of the EPA’s regulations is that the oil filter should always be changed whenever the engine oil is changed, and we are finalizing the proposed changes to the regulatory text to this effect. Also please note that nothing in the EPA’s regulations prevents the owner and operator from changing the oil or the oil filter sooner than condemning limits have been reached, if desired.

F. Other Requests for Comments

In addition to general comments on the proposal, we also asked for comments on the reporting template that was placed in the docket for this action. Several commenters suggested changes to the template and after considering these comments we have made minor clarifying changes to the template. These comments and our responses are discussed more fully in the response to comment document available in the docket for this action. A final template is also available in the docket for this action.

The EPA also requested comments on the provisions specifying that emergency engines can operate for up to 50 hours per year to mitigate local transmission and/or distribution limitations to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. These provisions appear in the NESHP¹⁰ and

both NSPS¹¹ and are often referred to as the “50-hour provisions.” The EPA did not propose any changes to the 50-hour provisions, but as discussed in the proposal, solicited comments to aid in its consideration of the appropriate next steps following remand of the provisions by the court. The EPA appreciates the comments and information that were provided during the public comment period and is considering them as we assess the appropriate path forward. However, the EPA did not propose and is not finalizing, any changes to the 50-hour provisions at this time; and we have not addressed those comments in the response to comments document for this final rule.

G. Effective Date and Compliance Dates

As stated in the proposal, the EPA’s experience with other industries and entities that are required to convert reporting mechanisms, install necessary hardware and software, become familiar with the process of submitting performance test results electronically through the EPA’s CEDRI, test these new electronic submission capabilities, reliably employ electronic reporting, and convert logistics of reporting processes to different time-reporting parameters shows that a time period of a minimum of 90 days, but more typically 180 days, is generally necessary to successfully complete these changes. Due to the diverse nature of the stationary engine sector, the EPA proposed to allow 180 days from the date of the final rule for all electronic reporting provisions, and where a semiannual or annual report template is newly required, 180 days or 1 year from the date that the report template is made available on CEDRI, whichever is later, for compliance with the proposed electronic reporting requirements. For all other proposed requirements, because they are non-substantive edits simply to clarify existing requirements, the EPA proposed to make compliance effective immediately upon promulgation of the final rule.

We received some comments asking for a longer compliance timeframe. The majority of these are addressed in the response to comment document available in the docket for this action, but in general, the commenters that asked for additional time to comply were generally mistaken about the steps required to make their systems compatible with electronic reporting. For sources that were already required to submit the annual reports via an

⁸ Additionally, the same language of “annually” also appears in a separate location in subpart ZZZZ, namely in the subsection on management practices applicable to existing stationary non-emergency CI RICE with a site rating of more than 300 HP located on an offshore vessel that is an area source of HAP and is a nonroad vehicle that is an Outer Continental Shelf source as defined in 40 CFR 55.2. Similar concerns apply to the engines affected by this subsection (40 CFR 63.6603). So we, likewise, proposed to replace each instance of the term “annually” with the term “every 12 months” there.

⁹ The EPA also is making it clear that we do not prohibit changing the oil earlier than 12 months if entities desire to do so (since this was raised in some comments).

¹⁰ 40 CFR 63.6640(f)(4)(ii).

¹¹ 40 CFR 60.4211(f)(3)(i), 40 CFR 60.4243(d)(3)(i).

electronic template to CEDRI prior to this rulemaking (*i.e.*, emergency stationary CI ICE subject to reporting under 40 CFR 60.4214(d) in 40 CFR part 60, subpart IIII, emergency stationary SI ICE subject to reporting under 40 CFR 60.4245(e) in 40 CFR part 60, subpart JJJJ, and emergency stationary RICE subject to reporting under 40 CFR 63.6650(h) in 40 CFR part 63, subpart ZZZZ) the EPA determined that 180 days is sufficient time to adjust to the revised electronic template and accommodate the new reporting elements. For all other sources, the EPA determined that the additional year after the reporting template becomes available in CEDRI is necessary for these sources to begin electronic reporting. As discussed in the response to comments document, the EPA considers a year to be an adequate amount of time for these sources to adjust to electronic reporting. We are therefore finalizing the compliance timeframe as proposed.

Pursuant to CAA sections 111(b)(1)(B) and 112(i), the revisions to the rules being promulgated in this action are effective on August 30, 2024. The compliance date for affected sources to comply with the amendments pertaining to electronic reporting is 180 days after the effective date of the rule, or, where electronic reporting is newly required for semiannual or annual compliance reports, 1 year from the date that the respective report template is made available on CEDRI, whichever is later.

IV. Summary of Cost, Environmental, and Economic Impacts

A. What are the air quality impacts?

No air quality impacts are expected to result from this rulemaking.

B. What are the cost impacts?

The EPA estimated costs for this action are based on the results of the analysis for information collection activities, as presented in the Paperwork Reduction Act (PRA) section and accompanying Information Collection Request (ICR) documents in the docket.

When assessed over the first 3 years of compliance, the incremental costs for both NSPS (subpart IIII and subpart JJJJ) are estimated to be negative, *i.e.*, reflect a cost savings, for all 3 years. For the NESHAP (subpart ZZZZ), the incremental cost is estimated to have costs in 2025 followed by cost savings in 2026 and 2027. When viewed on an overall basis (*i.e.*, all subparts considered), undiscounted costs for the final rule, in 2021\$, are \$18.0 million in 2025, (\$38.0 million) in 2026, and (\$38.2 million) in 2027, with

parentheses indicating negative values, *i.e.*, cost savings. Although the EPA also anticipates that the final rule will continue to result in cost savings in years beyond 2027 for all subparts, we have not estimated the magnitude or duration of these cost savings. These estimates are consistent with our experience that electronic reporting reduces burden on regulated entities (and the EPA) by eliminating paper-based processes and providing data quickly and accurately.

More details on cost impact analyses for the final rule can be found in the “What are the economic impacts?” section of this preamble as well as in section 2 of the memorandum, *Economic Impact and Small Business Analysis for the National Emission Standards for Hazardous Air Pollutants: Reciprocating Internal Combustion Engines and New Source Performance Standards: Internal Combustion Engines; Electronic Reporting Amendments*, which is also available in the docket for this action.

C. What are the economic impacts?

The EPA conducted economic impact analyses for the final rule, as detailed in the memorandum, *Economic Impact and Small Business Analysis for the National Emission Standards for Hazardous Air Pollutants: Reciprocating Internal Combustion Engines and New Source Performance Standards: Internal Combustion Engines; Electronic Reporting Amendments*, which is available in the docket for this action.

Costs were estimated for the first 3 years following this action. Correspondingly, a 3-year period from 2025 to 2027 was selected as the best measure of the economic impacts of this action. This allowed for a reasonable and consistent timeframe over which to examine impacts of this action from a present value (PV) perspective. The PV in 2021 dollars is a cost saving of approximately \$53.8 million using a 2 percent discount rate, a cost saving of approximately \$51.8 using a 3 percent discount rate, and a cost saving of approximately \$44.5 million using a 7 percent discount rate.^{12 13} The

¹² Present value and equivalent annualized value calculations can be found in *RICE—final—economic analysis.xls*, a spreadsheet that includes the basis for the economic impacts that was generated by the EPA for this analysis report. This spreadsheet can be found in the docket for this rule.

¹³ Results using the 2 percent discount rate were not included in the proposal for this action. The 2003 version of OMB’s Circular A–4 had generally recommended 3 percent and 7 percent as default rates to discount social costs and benefits. The analysis of the proposed rule used these two recommended rates. In November 2023, OMB finalized an update to Circular A–4, in which it

equivalent annualized value (EAV), in 2021 dollars, is a cost saving of approximately \$18.7 million using a discount rate of 2 percent, a cost saving of approximately \$18.3 using a discount rate of 3 percent, and a cost saving of approximately \$16.9 million using a discount rate of 7 percent. The amendments to 40 CFR part 60, subparts IIII and JJJJ have estimated cost savings for respondents in each year. We conducted an analysis assessing the impacts of the costs associated with the amendments to 40 CFR part 63, subpart ZZZZ. As shown in the supporting statement to 40 CFR part 63, subpart ZZZZ, the amendments to ZZZZ have estimated costs of \$32 per respondent for the first year and cost savings thereafter. As described the economic impact analysis, for the first year such costs are less than 0.1 percent of the average affected entity’s payroll, and we conclude that it is reasonable to assume that such costs represent less than 0.1 percent of sales for the average affected entity.¹⁴

Given the results of the analysis, these economic impacts are relatively small for affected industries and entities impacted by this rule, and there will not be substantial impacts on the markets for affected products. The costs of the rule are not expected to result in a significant market impact, regardless of whether they are passed on to the purchaser or absorbed by the firms.

D. What are the benefits?

The EPA is not making changes to the emission limits and estimates that the final requirements for electronic reporting are not economically significant. Because these amendments are not considered economically significant, as defined by Executive Order 12866, and because no emission reductions were projected, we are not estimating any benefits from reducing emissions.

V. Statutory and Executive Order Reviews

Additional information about these statutes and Executive orders can be

recommended the general application of a 2 percent rate to discount social costs and benefits (subject to regular updates), which is an estimate of consumption-based discount rate. We include cost results calculated using a 2 percent discount rate consistent with the update to Circular A–4 (OMB, 2023).

¹⁴ The memorandum titled *Economic Impact and Small Business Analysis for the Final National Emission Standards for Hazardous Air Pollutants: Reciprocating Internal Combustion Engines and New Source Performance Standards: Internal Combustion Engines; Electronic Reporting Amendment* is available in the docket for this action.

found at <https://www.epa.gov/laws-regulations/laws-and-executive-orders>.

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 14094: Modernizing Regulatory Review

This action is not a significant regulatory action as defined in Executive Order 12866, as amended by Executive Order 14094, and was therefore not subject to a requirement for Executive Order 12866 review.

B. Paperwork Reduction Act (PRA)

The information collection activities in this rule have been submitted for approval to the Office of Management and Budget (OMB) under the PRA. The Information Collection Request (ICR) document that the EPA prepared has been assigned EPA ICR numbers 2196.08, 2227.07, and 1975.12 for NSPS subparts IIII and JJJJ, and NESHAP subpart ZZZZ, respectively. You can find a copy of the ICR in the docket for this rule, and it is briefly summarized here. The information collection requirements are not enforceable until OMB approves them.

The amendments mainly add electronic reporting provisions to the rules. In general, the changes do not result in regulated entities needing to submit anything additional electronically that is not currently submitted via paper copies, and this is therefore expected to lessen the recordkeeping and reporting burden. The information is collected to assure compliance with 40 CFR part 60, subparts IIII and JJJJ and 40 CFR part 63, subpart ZZZZ.

Respondents/affected entities:

Owners and operators of stationary RICE at either a major or area source of HAP emissions (NESHAP subpart ZZZZ); existing and new manufacturers, owners, and operators of stationary CI internal combustion engines (NSPS subpart IIII); existing and new manufacturers, owners, and operators of stationary SI internal combustion engines (NSPS subpart JJJJ).

Respondents' obligation to respond: Mandatory.

Estimated number of respondents:

915,781 (ZZZZ); 207,360 (IIII); 19,835 (JJJJ).

Frequency of response: Varies by rule and by type of response.

Total estimated burden: (61,799) (ZZZZ); (95,928) (IIII); (1,144) (JJJJ) hours (per year). Burden is defined at 5 CFR 1320.3(b). Note: parentheses indicate a reduction in burden, i.e., a reduced number of hours as a result of the addition of electronic reporting to the rules.

Total estimated cost: (\$7,581,151) (ZZZZ); (\$11,688,145) (IIII); (\$140,379) (JJJJ) (per year), includes \$0 annualized capital or operation & maintenance costs. Note: parentheses indicate a reduction in cost as a result of the addition of electronic reporting to the rules.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9. When OMB approves this ICR, the Agency will announce that approval in the **Federal Register** and publish a technical amendment to 40 CFR part 9 to display the OMB control number for the approved information collection activities contained in this final rule.

C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. The small entities subject to the requirements of this action are small businesses, small governmental jurisdictions and small non-profits across a range of sectors, that own or operate stationary engines (e.g., for generating electricity in remote areas or when electricity supply is temporarily interrupted), including but not limited to: Electric power generation, transmission, or distribution; Medical and surgical hospitals; Natural gas transmission; Crude petroleum and natural gas production; Natural gas liquids producers; and National security.

The amendments to 40 CFR part 60, subparts IIII and JJJJ have estimated cost savings for respondents by reducing reporting burdens. We conducted analysis assessing the impacts of the costs associated with the amendments to 40 CFR part 63, subpart ZZZZ. As shown in the supporting statement to 40 CFR part 63, subpart ZZZZ, this subpart has estimated costs of \$32 per respondent in 1 year, and cost savings in following years. We estimate that this compliance cost of \$32 per respondent is well below a 1 percent impact relative to payroll or sales for affected small entities.¹⁵ While there is some uncertainty in these estimates, due to the range of entities that may own or operate stationary engines, there is a large margin before the impacts would approach a 1 percent impact for a substantial number of small entities.

¹⁵ For example, for an entity with \$32,000 in payroll, the compliance cost would represent an impact of 0.1% relative to payroll.

Details of this analysis are presented in the memorandum titled *Economic Impact and Small Business Analysis for the National Emission Standards for Hazardous Air Pollutants: Reciprocating Internal Combustion Engines and New Source Performance Standards: Internal Combustion Engines; Electronic Reporting Amendment*, which is available in the docket for this action.

D. Unfunded Mandates Reform Act (UMRA)

This action does not contain an unfunded mandate of \$100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. This action will reduce reporting costs for all sources, although we did estimate some initial costs (well under \$100 million in the aggregate) for some sources.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have tribal implications as specified in Executive Order 13175. While some Tribes could be impacted by this amendment, this rulemaking would reduce the compliance costs for owners and operators of stationary engines. Thus, Executive Order 13175 does not apply to this action.

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

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order.

Therefore, this action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk. Since this action does not concern human health, the EPA's Policy on Children's Health also does not apply.

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

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

I. National Technology Transfer and Advancement Act (NTTAA)

This rulemaking does not involve technical standards.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental Justice for All

The EPA believes that this type of action does not concern human health or environmental conditions and therefore cannot be evaluated with respect to potentially disproportionate and adverse effects on communities with environmental justice concerns. This is because this action involves the addition of electronic reporting and therefore is not expected to change emissions.

K. Congressional Review Act (CRA)

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

List of Subjects

40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Reporting and recordkeeping requirements.

40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Reporting and recordkeeping requirements.

Michael S. Regan,
Administrator.

For the reasons stated in the preamble, title 40, chapter I, parts 60 and 63 of the Code of Federal Regulations are amended as follows:

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

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

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

Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

- 2. Amend § 60.4214 by:
 - a. Revising paragraph (a)(1) introductory text and paragraph (d)(3); and
 - b. Adding paragraphs (f), (g), (h), (i), and (j).

The revisions and additions read as follows:

§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) * * *

(1) Submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (a)(1)(i) through (v) of this section. Beginning on February 26, 2025, submit the notification electronically according to paragraph (g) of this section.

* * * * *

(d) * * *

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4. Beginning on February 26, 2025, submit annual report electronically according to paragraph (g) of this section.

* * * * *

(f) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test required under this section following the procedures specified in paragraphs (f)(1) and (2) of this section.

(1) *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>) at the time of the test.* Submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), according to paragraph (g) of this section. The data must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML)

schema listed on the EPA's ERT website.

(2) *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.* The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI according to paragraph (g) of this section.

(g) If you are required to submit notifications or reports following the procedure specified in this paragraph (g), you must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (g).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described in paragraph (g) of this section, should include clear CBI markings. ERT files should be flagged to

the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Compression Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(h) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (h)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as

possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(i) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (i)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report

electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

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

■ 3. Revise table 4 to subpart IIII of part 60 to read as follows:

TABLE 4 TO SUBPART IIII OF PART 60—EMISSION STANDARDS FOR STATIONARY FIRE PUMP ENGINES

[As stated in §§ 60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	Emission standards for stationary fire pump engines in g/KW-hr (g/HP-hr)		
		NMHC + NO _x	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
KW<8 (HP<11)	2011 +	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
8≤KW<19 (11≤HP<25)	2011 +	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	2011 +	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)
37≤KW<56 (50≤HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
37≤KW<56 (50≤HP<75)	2011 + ¹	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
56≤KW<75 (75≤HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)

TABLE 4 TO SUBPART IIII OF PART 60—EMISSION STANDARDS FOR STATIONARY FIRE PUMP ENGINES—Continued
[As stated in §§60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	Emission standards for stationary fire pump engines in g/KW-hr (g/HP-hr)		
		NMHC + NO _x	CO	PM
56≤KW<75 (75≤HP<100)	2011 + ¹	4.7 (3.5)	5.0 (3.7)	0.40 (0.30)
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
75≤KW<130 (100≤HP<175)	2010 + ²	4.0 (3.0)	5.0 (3.7)	0.30 (0.22)
130≤KW<225 (175≤HP<300)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
130≤KW<225 (175≤HP<300)	2009 + ³	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
225≤KW<450 (300≤HP<600)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
225≤KW<450 (300≤HP<600)	2009 + ³	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
450≤KW≤560 (600≤HP≤750)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)	2009 +	4.0 (3.0)	3.5 (2.6)	0.20 (0.15)
KW>560 (HP>750)	2007 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
KW>560 (HP>750)	2008 +	6.4 (4.8)	3.5 (2.6)	0.20 (0.15)

¹ For model years 2011–2013, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

² For model years 2010–2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

³ In model years 2009–2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

* * *

Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

■ 4. Amend § 60.4245 by:

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

The revisions and additions read as follows:

§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

* * *

(c) Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in § 60.4231 must submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section. Beginning on February 26, 2025 submit the notification electronically according to paragraph (g) of this section.

* * *

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348–03 (incorporated by reference—see 40 CFR 60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and

11.1.1.4; for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348–03 report results of all QA/QC procedures in Annexes 1–7. Beginning on February 26, 2025, performance tests must be reported electronically according to paragraph (f) of this section.

(e) * * *

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4. Beginning on February 26, 2025, submit annual report electronically according to paragraph (g) of this section.

(f) Beginning on February 26, 2025, within 60 days after the date of completing each performance test, you must submit the results following the procedures specified in paragraph (g) of this section. Data collected using test methods that are 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>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT

website. 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 must be included as an attachment in the ERT or an alternate electronic file.

(g) If you are required to submit notifications or reports following the procedure specified in this paragraph (g), you must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (g)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data

available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (g).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described in paragraph (g) of this section, should include clear CBI markings. ERT files should be flagged to the attention of the Group Leader, Measurement Policy Group; all other files should be flagged to the attention of the Stationary Spark Ignition Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711. ERT files should be sent to the attention of the Group Leader, Measurement Policy Group, and all other files should be sent to the attention of the Stationary Spark Ignition Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(h) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (h)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning five business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as

possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(i) If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (i)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning five business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

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

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

■ 5. The authority citation for part 63 continues to read as follows:

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

Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

■ 6. Amend § 63.6603 by revising paragraphs (c)(1) through (4) to read as follows:

§ 63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?

* * * * *

(c) * * *

(1) Change oil every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first. Sources have the option to utilize an oil analysis program as described in § 63.6625(i) in order to extend the specified oil change requirement.

(2) Inspect and clean air filters every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.

(3) Inspect fuel filters and belts, if installed, every 750 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.

(4) Inspect all flexible hoses every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.

■ 7. Amend § 63.6620 by adding paragraph (j) to read as follows:

§ 63.6620 What performance tests and other procedures must I use?

(j) Beginning on February 26, 2025, within 60 days after the date of completing each performance test required by this subpart, you must submit the results of the performance test following the procedure specified in § 63.9(k). 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>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. 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 must be included as an attachment in the ERT or alternate electronic file.

■ 8. Amend § 63.6625 by:

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

The additions and revisions read as follows:

§ 63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(a) * * *

(5) Beginning on February 26, 2025, within 60 days after the date of completing each continuous emissions monitoring system (CEMS) performance evaluation (as defined in § 63.2) that includes a relative accuracy test audit (RATA), you must submit the results of the performance evaluation following the procedures specified in § 63.9(k). The results of performance evaluations of CEMS measuring RATA pollutants that are supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be submitted in a file format generated using the EPA's ERT. Alternatively, you

may submit an electronic file consistent with the XML schema listed on the EPA's ERT website. The results of performance evaluations of CEMS measuring RATA pollutants that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the evaluation must be included as an attachment in the ERT or alternate electronic file.

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of table 2c to this subpart or in items 1 or 4 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of table 2c to this subpart or in items 5, 6, 7, 8, 10, 11, or 13 of table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil and filter change requirement in tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil and filter in table 2c or 2d to this

subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil and filter. If any of the limits are exceeded, the engine owner or operator must change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil and filter within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program must be part of the maintenance plan for the engine.

■ 9. Amend § 63.6645 by:

- a. Revising paragraphs (b), (c), (d), (e), (h)(2) introductory text; and
- b. Adding paragraphs (h)(2)(i) and (ii).

The revisions and additions read as follows:

§ 63.6645 What notifications must I submit and when?

(b) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an initial notification not later than December 13, 2004, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in portable document format (PDF) consistent with § 63.9(k).

(c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

(d) As specified in § 63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an initial notification not later than July 16, 2008, or no later than 120 days after the source becomes subject to this subpart, whichever is later. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

(e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008, and you are required to submit an initial notification, you must submit an initial notification not later than 120 days after you become subject to this subpart. Beginning on February 26, 2025, submit the notification electronically in PDF consistent with § 63.9(k).

* * * * *

(h) * * *

(2) Before February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to § 63.10(d)(2). Beginning on February 26, 2025, for each initial compliance demonstration required in table 5 to this subpart that includes a performance test conducted according to the requirements in table 3 to this subpart, you must submit the Notification of Compliance Status, including a summary of the performance test results, in PDF to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), before the close of business on the 60th day following the completion of the performance test following the procedure specified in § 63.9(k), except any Confidential Business Information (CBI) is to be submitted according to paragraphs (h)(2)(i) and (ii) of this section. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file, including information claimed to be CBI, to the EPA following the procedures in paragraphs (h)(2)(i) and

(ii) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (h)(2).

(i) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described in paragraph (h)(2) of this section, should include clear CBI markings and be flagged to the attention of the Reciprocating Internal Combustion Engine Sector Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.

(ii) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711, Attention Reciprocating Internal Combustion Engine Sector Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

* * * * *

■ 10. Amend § 63.6650 by:

■ a. Revising paragraph (c) introductory text and paragraph (c)(4);

■ b. Adding paragraphs (c)(7) through (9);

■ c. Revising paragraphs (d), (e) introductory text, paragraphs (e)(2), (3), and (5) through (7);

■ d. Removing and reserving paragraph (e)(9);

■ e. Adding paragraph (e)(13);

■ f. Revising paragraphs (f), (h)(1)(iii), (ix), and (h)(3); and

■ g. Adding paragraph (i).

The revisions and additions read as follows:

§ 63.6650 What reports must I submit and when?

* * * * *

(c) The Compliance report must contain the information in paragraphs (c)(1) through (8) of this section.

* * * * *

(4) If you had a malfunction during the reporting period, the compliance report must include the starting and ending date and time, the duration (in hours), and a brief description for each malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction.

* * * * *

(7) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).

(8) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(9) An engine can be claimed as exempt from reporting coordinates (latitude/longitude) via CEDRI if:

(i) During the reporting period, the engine will be owned by, or operated by or for, an agency of the Federal Government responsible for national defense; and

(ii) The agency determines that disclosing the coordinates to the general public would be a threat to national security.

(d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (8) of this section and the information in paragraphs (d)(1) and (2) of this section.

(1) The total operating time (in hours) of the stationary RICE at which the deviation occurred during the reporting period.

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

(3) A description of any changes in processes, or controls since the last reporting period.

(e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (8) and (e)(1) through (13) of this section.

* * * * *

(2) The start and end date and time and the duration (in hours) that each CMS was inoperative, except for zero (low-level) and high-level checks.

(3) The start and end date and time and the duration (in hours) that each CMS was out-of-control, including the information in § 63.8(c)(8).

* * * * *

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

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

(7) A summary of the total duration (in hours) of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.

* * * * *

(13) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 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) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to table 7 of

this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. Beginning on February 26, 2025, the semiannual and annual compliance report required in table 7 of this subpart must be submitted according to paragraph (i) of this section. Only those elements required under this subpart are required to be submitted according to paragraph (i) of this section.

* * * * *

(h) * * *

(1) * * *

(iii) Engine site rating in brake HP, year construction of the engine commenced (as defined in § 63.2, where the exact year is not known, provide the best estimate), and type of engine (CI, SI 2SLB, SI 4SLB, or SI 4SRB).

* * * * *

(ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration (in hours), and cause of deviations, and the corrective action taken.

* * * * *

(3) Before February 26, 2025, the annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the

appropriate address listed in § 63.13. Beginning on February 26, 2025, the annual report must be submitted according to paragraph (i) of this section.

(i) Beginning on February 26, 2025 for the annual report specified in § 63.6650(h) and February 26, 2025 or one year after the report becomes available in CEDRI, whichever is later for all other semiannual or annual reports, submit all semiannual and annual subsequent compliance reports using the appropriate electronic report template on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for this subpart and following the procedure specified in § 63.9(k), except any CBI must be submitted according to the procedures in § 63.6645(h). The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

■ 11. Amend § 63.6655 by revising paragraph (a)(2) to read as follows:

§ 63.6655 What records must I keep?

(a) * * *

(2) Records of the occurrence and duration (in hours) of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.

* * * * *

■ 12. Amend § 63.6670 by adding paragraph (c)(6) to read as follows:

§ 63.6670 Who implements and enforces this subpart?

* * * * *

(c) * * *

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

■ 13. Revise Table 2c to subpart ZZZZ of part 63 to read as follows:

TABLE 2c TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR EXISTING COMPRESSION IGNITION STATIONARY RICE LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS AND EXISTING SPARK IGNITION STATIONARY RICE >500 HP LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS

[As stated in §§ 63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions]

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Emergency stationary CI RICE and black start stationary CI RICE ¹ .	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first². b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³.	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. ³
2. Non-Emergency, non-black start stationary CI RICE <100 HP.	a. Change oil and filter every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first². b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³.	
3. Non-Emergency, non-black start CI stationary RICE 100≤HP≤300 HP.	Limit concentration of CO in the stationary RICE exhaust to 230 ppmvd or less at 15 percent O ₂ .	
4. Non-Emergency, non-black start CI stationary RICE 300<HP≤500.	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd or less at 15 percent O₂; or b. Reduce CO emissions by 70 percent or more.	
5. Non-Emergency, non-black start stationary CI RICE >500 HP.	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd or less at 15 percent O₂; or b. Reduce CO emissions by 70 percent or more.	
6. Emergency stationary SI RICE and black start stationary SI RICE. ¹	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³.	
7. Non-Emergency, non-black start stationary SI RICE <100 HP that are not 2SLB stationary RICE.	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary. c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³.	
8. Non-Emergency, non-black start 2SLB stationary SI RICE <100 HP.	a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;² b. Inspect spark plugs every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary³.	
9. Non-emergency, non-black start 2SLB stationary RICE 100≤HP≤500.	Limit concentration of CO in the stationary RICE exhaust to 225 ppmvd or less at 15 percent O ₂ .	
10. Non-emergency, non-black start 4SLB stationary RICE 100≤HP≤500.	Limit concentration of CO in the stationary RICE exhaust to 47 ppmvd or less at 15 percent O ₂ .	
11. Non-emergency, non-black start 4SRB stationary RICE 100≤HP≤500.	Limit concentration of formaldehyde in the stationary RICE exhaust to 10.3 ppmvd or less at 15 percent O ₂ .	

TABLE 2c TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR EXISTING COMPRESSION IGNITION STATIONARY RICE LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS AND EXISTING SPARK IGNITION STATIONARY RICE >500 HP LOCATED AT A MAJOR SOURCE OF HAP EMISSIONS—Continued

[As stated in §§ 63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions]

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
12. Non-emergency, non-black start stationary RICE 100≤HP≤500 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.	Limit concentration of CO in the stationary RICE exhaust to 177 ppmvd or less at 15 percent O ₂ .	

¹ If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in table 2c of this subpart, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under Federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under Federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, state, or local law has abated. Sources must report any failure to perform the work practice on the schedule required and the Federal, state or local law under which the risk was deemed unacceptable.

² Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in table 2c of this subpart.

³ Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

■ 14. Revise Table 2d to subpart ZZZZ of part 63 to read as follows:

TABLE 2d TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR EXISTING STATIONARY RICE LOCATED AT AREA SOURCES OF HAP EMISSIONS

[As stated in §§ 63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:]

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
1. Non-Emergency, non-black start CI stationary RICE ≤300 HP.	a. Change oil and filter every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹ b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
2. Non-Emergency, non-black start CI stationary RICE 300<HP≤500.	a. Limit concentration of CO in the stationary RICE exhaust to 49 ppmvd at 15 percent O ₂ ; or b. Reduce CO emissions by 70 percent or more.	
3. Non-Emergency, non-black start CI stationary RICE >500 HP.	a. Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O ₂ ; or b. Reduce CO emissions by 70 percent or more.	
4. Emergency stationary CI RICE and black start stationary CI RICE. ²	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹ b. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.	
5. Emergency stationary SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year. ²	a. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹ b. Inspect spark plugs every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.	
6. Non-emergency, non-black start 2SLB stationary RICE.	a. Change oil and filter every 4,320 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; ¹ b. Inspect spark plugs every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and	

TABLE 2d TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR EXISTING STATIONARY RICE LOCATED AT AREA SOURCES OF HAP EMISSIONS—Continued

[As stated in §§ 63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:]

For each . . .	You must meet the following requirement, except during periods of startup . . .	During periods of startup you must . . .
7. Non-emergency, non-black start 4SLB stationary RICE ≤500 HP.	c. Inspect all hoses and belts every 4,320 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary. a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.	
8. Non-emergency, non-black start 4SLB remote stationary RICE >500 HP.	a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.	
9. Non-emergency, non-black start 4SLB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year.	Install an oxidation catalyst to reduce HAP emissions from the stationary RICE.	
10. Non-emergency, non-black start 4SRB stationary RICE ≤500 HP.	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.	
11. Non-emergency, non-black start 4SRB remote stationary RICE >500 HP.	a. Change oil and filter every 2,160 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 2,160 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.	
12. Non-emergency, non-black start 4SRB stationary RICE >500 HP that are not remote stationary RICE and that operate more than 24 hours per calendar year.	Install NSCR to reduce HAP emissions from the stationary RICE.	
13. Non-emergency, non-black start stationary RICE which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.	a. Change oil and filter every 1,440 hours of operation or within 1 year + 30 days of the previous change, whichever comes first;¹ b. Inspect spark plugs every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 1,440 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary.	

¹ Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in table 2d of this subpart.

² If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, state or local law under which the risk was deemed unacceptable.

* * * * *

■ 15. Revise Table 7 to subpart ZZZZ of part 63 to read as follows:

TABLE 7 TO SUBPART ZZZZ OF PART 63—REQUIREMENTS FOR REPORTS

[As stated in § 63.6650, you must comply with the following requirements for reports:]

For each . . .	You must submit a . . .	The report must contain . . .	You must submit the report . . .
1. Existing non-emergency, non-black start stationary RICE 100≤HP≤500 located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >500 HP located at a major source of HAP; existing non-emergency 4SRB stationary RICE >500 HP located at a major source of HAP; existing non-emergency, non-black start stationary CI RICE >300 HP located at an area source of HAP; new or reconstructed non-emergency stationary RICE >500 HP located at a major source of HAP; and new or reconstructed non-emergency 4SLB stationary RICE 250≤HP≤500 located at a major source of HAP.	Compliance report	a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in § 63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in § 63.8(c)(7), the information in § 63.6650(e); or c. If you had a malfunction during the reporting period, the information in § 63.6650(c)(4).	i. Semiannually according to the requirements in § 63.6650(b)(1)–(5) and (i) for engines that are not limited use stationary RICE subject to numerical emission limitations; and ii. Annually according to the requirements in § 63.6650(b)(6)–(9) and (i) for engines that are limited use stationary RICE subject to numerical emission limitations. i. Semiannually according to the requirements in § 63.6650(b) and (i).
2. New or reconstructed non-emergency stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis.	Report	a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and c. Any problems or errors suspected with the meters.	i. Annually, according to the requirements in § 63.6650. i. See item 2.a.i. i. See item 2.a.i.
3. Existing non-emergency, non-black start 4SLB and 4SRB stationary RICE >500 HP located at an area source of HAP that are not remote stationary RICE and that operate more than 24 hours per calendar year.	Compliance report	a. The results of the annual compliance demonstration, if conducted during the reporting period.	i. Semiannually according to the requirements in § 63.6650(b)(1)–(5) and (i).
4. Emergency stationary RICE that operate for the purposes specified in § 63.6640(f)(4)(ii).	Report	a. The information in § 63.6650(h)(1) ..	i. Annually according to the requirements in § 63.6650(h)(2)–(3) and (i).

■ 16. Revise Table 8 to subpart ZZZZ of part 63 to read as follows:

TABLE 8 TO SUBPART ZZZZ OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART ZZZZ

[As stated in § 63.6665, you must comply with the following applicable general provisions]

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.1	General applicability of the General Provisions.	Yes.	Additional terms defined in § 63.6675.
§ 63.2	Definitions	Yes	
§ 63.3	Units and abbreviations	Yes.	
§ 63.4	Prohibited activities and circumvention	Yes.	

TABLE 8 TO SUBPART ZZZZ OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART ZZZZ—Continued
 [As stated in § 63.6665, you must comply with the following applicable general provisions]

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.5	Construction and reconstruction	Yes.	
§ 63.6(a)	Applicability	Yes.	
§ 63.6(b)(1)–(4)	Compliance dates for new and reconstructed sources.	Yes.	
§ 63.6(b)(5)	Notification	Yes.	
§ 63.6(b)(6)	[Reserved].		
§ 63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources.	Yes.	
§ 63.6(c)(1)–(2)	Compliance dates for existing sources	Yes.	
§ 63.6(c)(3)–(4)	[Reserved].		
§ 63.6(c)(5)	Compliance dates for existing area sources that become major sources.	Yes.	
§ 63.6(d)	[Reserved].		
§ 63.6(e)	Operation and maintenance	No.	
§ 63.6(f)(1)	Applicability of standards	No.	
§ 63.6(f)(2)	Methods for determining compliance	Yes.	
§ 63.6(f)(3)	Finding of compliance	Yes.	
§ 63.6(g)(1)–(3)	Use of alternate standard	Yes.	
§ 63.6(h)	Opacity and visible emission standards.	No	Subpart ZZZZ does not contain opacity or visible emission standards.
§ 63.6(i)	Compliance extension procedures and criteria.	Yes.	
§ 63.6(j)	Presidential compliance exemption	Yes.	
§ 63.7(a)(1)–(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§ 63.6610, 63.6611, and 63.6612.
§ 63.7(a)(3)	CAA section 114 authority	Yes.	
§ 63.7(b)(1)	Notification of performance test	Yes	Except that § 63.7(b)(1) only applies as specified in § 63.6645.
§ 63.7(b)(2)	Notification of rescheduling	Yes	Except that § 63.7(b)(2) only applies as specified in § 63.6645.
§ 63.7(c)	Quality assurance/test plan	Yes	Except that § 63.7(c) only applies as specified in § 63.6645.
§ 63.7(d)	Testing facilities	Yes.	
§ 63.7(e)(1)	Conditions for conducting performance tests.	No	Subpart ZZZZ specifies conditions for conducting performance tests at § 63.6620.
§ 63.7(e)(2)	Conduct of performance tests and reduction of data.	Yes	Subpart ZZZZ specifies test methods at § 63.6620.
§ 63.7(e)(3)	Test run duration	Yes.	
§ 63.7(e)(4)	Administrator may require other testing under section 114 of the CAA.	Yes.	
§ 63.7(f)	Alternative test method provisions	Yes.	
§ 63.7(g)	Performance test data analysis, recordkeeping, and reporting.	Yes.	
§ 63.7(h)	Waiver of tests	Yes.	
§ 63.8(a)(1)	Applicability of monitoring requirements.	Yes	Subpart ZZZZ contains specific requirements for monitoring at § 63.6625.
§ 63.8(a)(2)	Performance specifications	Yes.	
§ 63.8(a)(3)	[Reserved].		
§ 63.8(a)(4)	Monitoring for control devices	No.	
§ 63.8(b)(1)	Monitoring	Yes.	
§ 63.8(b)(2)–(3)	Multiple effluents and multiple monitoring systems.	Yes.	
§ 63.8(c)(1)	Monitoring system operation and maintenance.	Yes.	
§ 63.8(c)(1)(i)	Routine and predictable SSM	No.	
§ 63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan.	Yes.	
§ 63.8(c)(1)(iii)	Compliance with operation and maintenance requirements.	No.	
§ 63.8(c)(2)–(3)	Monitoring system installation	Yes.	
§ 63.8(c)(4)	Continuous monitoring system (CMS) requirements.	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§ 63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§ 63.8(c)(6)–(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.

TABLE 8 TO SUBPART ZZZZ OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART ZZZZ—Continued
 [As stated in § 63.6665, you must comply with the following applicable general provisions]

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.8(d)	CMS quality control	Yes.	
§ 63.8(e)	CMS performance evaluation	Yes	Except for § 63.8(e)(5)(ii), which applies to COMS.
§ 63.8(f)(1)–(5)	Alternative monitoring method	Yes	Except that § 63.8(e) only applies as specified in § 63.6645.
§ 63.8(f)(6)	Alternative to relative accuracy test	Yes	Except that § 63.8(f)(4) only applies as specified in § 63.6645.
§ 63.8(g)	Data reduction	Yes	Except that § 63.8(f)(6) only applies as specified in § 63.6645.
§ 63.9(a)	Applicability and State delegation of notification requirements.	Yes.	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§ 63.6635 and 63.6640.
§ 63.9(b)(1)–(5)	Initial notifications	Yes	Except that § 63.9(b)(3) is reserved.
§ 63.9(c)	Request for compliance extension	Yes	Except that § 63.9(b) only applies as specified in § 63.6645.
§ 63.9(d)	Notification of special compliance requirements for new sources.	Yes	Except that § 63.9(c) only applies as specified in § 63.6645.
§ 63.9(e)	Notification of performance test	Yes	Except that § 63.9(d) only applies as specified in § 63.6645.
§ 63.9(f)	Notification of visible emission (VE)/opacity test.	No	Except that § 63.9(e) only applies as specified in § 63.6645.
§ 63.9(g)(1)	Notification of performance evaluation	Yes	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(g)(2)	Notification of use of COMS data	No	Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded.	Yes	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.9(h)(1)–(6)	Notification of compliance status	Yes	If alternative is in use.
§ 63.9(i)	Adjustment of submittal deadlines	Yes.	Except that § 63.9(g) only applies as specified in § 63.6645.
§ 63.9(j)	Change in previous information	Yes.	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. § 63.9(h)(4) is reserved.
§ 63.9(k)	Electronic reporting procedures	Yes	Except that § 63.9(h) only applies as specified in § 63.6645.
§ 63.10(a)	Administrative provisions for record-keeping/reporting.	Yes.	Only as specified in §§ 63.9(j), 63.6620, 63.6625, 63.6645, and 63.6650.
§ 63.10(b)(1)	Record retention	Yes	
§ 63.10(b)(2)(i)–(v)	Records related to SSM	No.	Except that the most recent 2 years of data do not have to be retained on site.
§ 63.10(b)(2)(vi)–(xi)	Records	Yes.	
§ 63.10(b)(2)(xii)	Record when under waiver	Yes.	
§ 63.10(b)(2)(xiii)	Records when using alternative to RATA.	Yes	For CO standard if using RATA alternative.
§ 63.10(b)(2)(xiv)	Records of supporting documentation	Yes.	
§ 63.10(b)(3)	Records of applicability determination	Yes.	
§ 63.10(c)	Additional records for sources using CEMS.	Yes	Except that § 63.10(c)(2)–(4) and (9) are reserved.
§ 63.10(d)(1)	General reporting requirements	Yes.	
§ 63.10(d)(2)	Report of performance test results	Yes.	
§ 63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.
§ 63.10(d)(4)	Progress reports	Yes.	
§ 63.10(d)(5)	Startup, shutdown, and malfunction reports.	No.	
§ 63.10(e)(1) and (2)(i)	Additional CMS Reports	Yes.	
§ 63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.

TABLE 8 TO SUBPART ZZZZ OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART ZZZZ—Continued
[As stated in § 63.6665, you must comply with the following applicable general provisions]

General provisions citation	Subject of citation	Applies to subpart	Explanation
§ 63.10(e)(3)	Excess emission and parameter exceedances reports.	No	Excess emissions and exceedance reporting is specified in § 63.6650. Subpart ZZZZ does not require COMS.
§ 63.10(e)(4)	Reporting COMS data	No	
§ 63.10(f)	Waiver for recordkeeping/reporting	Yes.	
§ 63.11	Flares	No.	
§ 63.12	State authority and delegations	Yes.	
§ 63.13	Addresses	Yes.	
§ 63.14	Incorporation by reference	Yes.	
§ 63.15	Availability of information	Yes.	

[FR Doc. 2024–18766 Filed 8–29–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2023–0409; FRL–12214–01–OCSPP]

RIN 2070–ZA16

Phenol; Revoking Exemption From the Requirement of a Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation revokes the tolerance exemption for residues of the antimicrobial pesticide ingredient phenol when used as an inert ingredient (solvent/cosolvent) in pesticide formulations applied to growing crops. This rulemaking is established on the Agency's own initiative under the Federal Food, Drug, and Cosmetic Act (FFDCA) to implement a tolerance action the Agency determined was appropriate during the registration review conducted under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for phenol.

DATES: This regulation is effective February 26, 2025. Objections and requests for hearings must be received on or before October 29, 2024, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the SUPPLEMENTARY INFORMATION).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2023–0409, is available at <https://www.regulations.gov> or in person at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave.

NW, Washington, DC 20460–0001.

Additional instructions for visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT:

Anita Pease, Antimicrobials Division (7510M), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; telephone number: 202–566–0736; email address: Pease.Anita@epa.gov or ADFRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111), e.g., agricultural workers; greenhouse, nursery, and floriculture workers; farmers.
- Animal production (NAICS code 112), e.g., cattle ranchers and farmers, dairy cattle farmers, livestock farmers.
- Food manufacturing (NAICS code 311), e.g., agricultural workers; farmers; greenhouse, nursery, and floriculture workers; ranchers; pesticide applicators.
- Pesticide manufacturing (NAICS code 32532), e.g., agricultural workers; commercial applicators; farmers; greenhouse, nursery, and floriculture workers; residential users.

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of 40 CFR part 180 through the **Federal Register** Office's e-CFR site at <https://www.ecfr.gov/current/title-40>.

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2023–0409 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before October 29, 2024.

Notwithstanding the procedural requirements of 40 CFR 178.25(b), the Office of the Administrative Law Judges has issued an order urging parties to file and serve documents with the Tribunal by electronic means only. See *Revised Order Urging Electronic Filing and Service* (dated June 22, 2023), <https://www.epa.gov/system/files/documents/2023-06/2023-06-22%20-%20revised%20order%20urging%20electronic%20filing%20and%20service.pdf>.

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2023–0409, by one of the following methods:

- **Federal eRulemaking Portal:** <https://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA-HQ-OAR-2021-0317; FRL-11890-01-OAR]

RIN 2060-AW18

Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review: Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Interim final rule; correction; request for comments.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is taking interim final action on technical corrections to three regulations recently finalized within “Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review,” (hereafter “final rule”), published March 8, 2024. Following publication of the final rule, the EPA identified, through its own internal reassessment of the regulatory text, as well as through communications with stakeholders and the Office of Federal Register, erroneous cross-references and typographical errors within the regulatory text. Through those same processes, the EPA also identified the need for some minor wording changes to clarify erroneous language (or, in some cases, erroneous omissions) in the regulatory text and/or to ensure that the regulatory text aligns with the descriptions of the relevant provisions in the final rule preamble and other parts of the regulation(s). The corrections being made in this action are minor and non-substantive in nature and are being made to address inadvertent errors in the final rule. The EPA is requesting comments on all aspects of this interim final rule.

DATES: This rule is effective on August 1, 2024. Comments on this interim final rule must be received on or before September 3, 2024.

ADDRESSES: You may send comments, identified by Docket ID No. EPA-HQ-OAR-2021-0317, by any of the following methods:

- **Federal eRulemaking Portal:** <https://www.regulations.gov> (our preferred method). Follow the online instructions for submitting comments.

- **Email:** a-and-r-docket@epa.gov. Include Docket ID No. EPA-HQ-OAR-2021-0317 in the subject line of the message.

- **Fax:** (202) 566-9744. Attention Docket ID No. EPA-HQ-OAR-2021-0317.

- **Mail:** U.S. Environmental Protection Agency, EPA Docket Center, Docket ID No. EPAHQ-OAR-2021-0317, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- **Hand/Courier Delivery:** EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue NW, Washington, DC 20004. The Docket Center's hours of operation are 8:30 a.m.–4:30 p.m., Monday–Friday (except Federal Holidays). Comments received may be posted without change to <https://www.regulations.gov>, including any personal information provided. For detailed instructions on sending comments, see the “Public Participation” heading of the General Information section of this document.

FOR FURTHER INFORMATION CONTACT:

Frank Benjamin-Eze, Sector Policies and Programs Division (E143-05), 109 T.W. Alexander Drive, P.O. Box 12055, Office of Air Quality Planning and Standards, United States Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-3753; and email address: benjaminenze.frank@epa.gov.

SUPPLEMENTARY INFORMATION:

Preamble acronyms and abbreviations. Throughout this document the use of “we,” “us,” or “our” is intended to refer to the EPA. We use multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

APA	Administrative Procedure Act
AVO	audible, visual, and olfactory
CAA	Clean Air Act
CBI	Confidential Business Information
CFR	Code of Federal Regulations
CRA	Congressional Review Act
EG	emissions guidelines
EPA	Environmental Protection Agency
FR	Federal Register
GHG	greenhouse gas
ID	Identification
NAICS	North American Industry Classification System
NDE	No detectable emissions
NHV	net heating value
NSPS	new source performance standards
OGI	optical gas imaging
OMB	Office of Management and Budget
P.O.	Post Office
PRA	Paperwork Reduction Act
RFA	Regulatory Flexibility Act
SO ₂	sulfur dioxide
tpy	tons per year
UMRA	Unfunded Mandates Reform Act
U.S.	United States
U.S.C.	United States Code

VOC volatile organic compound(s)

Organization of this document. The information in this preamble is organized as follows:

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 - K. Congressional Review Act (CRA)

I. General Information

A. Public Participation

Submit your written comments, identified by Docket ID No. EPA-HQ-OAR-2021-0317, at <https://www.regulations.gov> (our preferred method), or by the other methods identified in the **ADDRESSES** section. Once submitted, comments cannot be edited or removed from the docket. The EPA may publish any comment received to its public docket. Do not submit to the EPA's docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. This type of information should be submitted as discussed in the *Submitting CBI* section of this document. Multimedia submissions (audio, video, etc.) must be

accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). Please visit <https://www.epa.gov/dockets/commenting-epa-dockets> for additional submission methods; the full EPA public comment policy; information about CBI or multimedia submissions; and general guidance on making effective comments.

Submitting CBI. Do not submit information containing CBI to the EPA through <https://www.regulations.gov>. Clearly mark the part or all the information that you claim to be CBI. For CBI information on any digital storage media that you mail to the EPA, note the docket ID, mark the outside of the digital storage media as CBI, and identify electronically within the digital storage media the specific information that is claimed as CBI. In addition to one complete version of the comments that includes information claimed as

CBI, you must submit a copy of the comments that does not contain the information claimed as CBI directly to the public docket through the procedures outlined in the Public Participation section of this document. If you submit any digital storage media that does not contain CBI, mark the outside of the digital storage media clearly that it does not contain CBI and note the docket ID. Information not marked as CBI will be included in the public docket and the EPA's electronic public docket without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 Code of Federal Regulations (CFR) part 2.

Our preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol (FTP), or other online file sharing services (*e.g.*, Dropbox, OneDrive, Google Drive). Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described above, should include clear CBI markings, and note the docket ID. If assistance is needed with submitting

large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link. If sending CBI information through the postal service, please send it to the following address: OAQPS Document Control Officer (C404-02), OAQPS, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055 RTP, North Carolina 27711, Attention Docket ID No. EPA-HQ-OAR-2021-0317. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

B. Potentially Affected Entities

The source category that is the subject of this action is the Crude Oil and Natural Gas source category, regulated under Clean Air Act (CAA) section 111. The North American Industry Classification System (NAICS) codes for the industrial source categories affected by the NSPS and EG actions taken in the final rule are summarized in table 1.

TABLE 1—INDUSTRIAL SOURCE CATEGORIES AFFECTED BY THE NSPS AND EG ACTIONS

Category	NAICS code ¹	Examples of regulated entities
Industry	211120 211130 221210 486110 486210	Crude Petroleum Extraction. Natural Gas Extraction. Natural Gas Distribution. Pipeline Distribution of Crude Oil. Pipeline Transportation of Natural Gas.
Federal Government		Not affected.
State and Local Government		Not affected.
Tribal Government	921150	American Indian and Alaska Native Tribal Governments.

¹ North American Industry Classification System (NAICS).

This table is not intended to be exhaustive, but rather to provide a guide for readers regarding entities likely to be affected by the technical corrections and clarifications. Other types of entities not listed in the table could also be affected by this action. To determine whether your entity is affected by any of the corrections to the final rule in this action, you should carefully examine the applicability criteria found in NSPS OOOOa, NSPS OOOOb and EG OOOOc. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

C. Statutory Authority

Statutory authority to issue the amendments finalized in this action is provided by the same CAA provisions that provided authority to issue the

regulations being amended: CAA section 111(b)(1)(B) (requirement to review, and if appropriate, revise, standards of performance for new sources at least every 8 years) and CAA section 111(d) (requirement to establish standards of performance for existing sources for certain pollutants to which a Federal NSPS would apply if such existing source were a new source). Statutory authority for the rulemaking procedures followed in this action is provided by Administrative Procedure Act (APA) section 553(b)(B), 5 U.S.C. 553(b)(B) (good cause exception to notice and comment rulemaking).

D. Judicial Review and Administrative Review

Under CAA section 307(b)(1), judicial review of this final action is available only by filing a petition for review in the United States Court of Appeals for

the District of Columbia Circuit by September 30, 2024. Under CAA section 307(b)(2), the requirements established by this final action may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce the requirements.

II. Regulatory Revisions

A. Background and Summary

On November 15, 2021, the EPA published a proposed rule (November 2021 Proposal) to mitigate climate-destabilizing pollution and protect human health by reducing greenhouse gas (GHG) and volatile organic compound (VOC) emissions from the oil and natural gas industry,¹ specifically

¹ The EPA characterizes the oil and natural gas industry operations as being generally composed of 4 segments: (1) Extraction and production of crude oil and natural gas ("oil and natural gas

Continued

the Crude Oil and Natural Gas source category.^{2,3} In the November 2021 Proposal, the EPA proposed new standards of performance under section 111(b) of the CAA for GHGs (in the form of methane limitations) and VOC emissions from new, modified, and reconstructed sources in this source category, as well as revisions to standards of performance already codified at 40 CFR part 60, subparts OOOO and OOOOa. The EPA also proposed EG under section 111(d) of the CAA for GHGs emissions (in the form of methane limitations) from existing sources (designated facilities).⁴ The EPA also proposed several related actions stemming from the joint resolution of Congress, adopted on June 30, 2021, under the Congressional Review Act (CRA), disapproving the EPA's final rule titled, "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review," September 14, 2020 (2020 Policy Rule). Lastly, in the November 2021 Proposal the EPA proposed a protocol under the general provisions for optical gas imaging (OGI).

On December 6, 2022, the EPA published a supplemental proposed rule ("December 2022 Supplemental Proposal") that was composed of 2 main additions.⁵ First, the EPA updated, strengthened, and expanded on the NSPS OOOOb standards proposed in November 2021 under CAA section 111(b) for GHGs (in the form of methane limitations) and VOC emissions from new, modified, and reconstructed facilities. Second, the EPA updated, strengthened, and expanded the presumptive standards proposed for EG OOOOc in the November 2021 Proposal

as part of the CAA section 111(d) EG for GHGs emissions (in the form of methane limitations) from designated facilities. For purposes of EG OOOOc, the EPA also proposed the implementation requirements for state plans developed to limit GHGs pollution (in the form of methane limitations) from designated facilities in the Crude Oil and Natural Gas source category under CAA section 111(d).

On March 8, 2024, at 89 FR 16820, the EPA published the final rule with multiple actions to reduce air emissions from the Crude Oil and Natural Gas source category. First, the EPA finalized an NSPS OOOOb regulating GHG (in the form of a limitation on emissions of methane) and VOCs emissions for the Crude Oil and Natural Gas source category pursuant to CAA section 111(b)(1)(B). Second, the EPA finalized the presumptive standards in EG OOOOc to limit GHGs. Third, the EPA finalized several related actions (including final amendments to NSPS OOOOa) stemming from the joint resolution of Congress, adopted on June 30, 2021, under the CRA, disapproving the 2020 Policy Rule. The final rule became effective sixty days after publication, which was May 7, 2024.

As discussed in the summary of this preamble, after the publication of the final rule, the EPA discovered, through its own internal reassessment of the regulatory text, as well as through communications with stakeholders and the Office of Federal Register, erroneous cross-references and typographical errors within the regulatory text. Through those same processes, the EPA also identified erroneous language in the regulatory text (or in some cases, erroneous omissions) requiring minor wording changes in order to conform with the final rule preamble and other parts of the regulatory text. The technical corrections and clarifications identified herein are being made to address such unintended errors in the recently finalized regulations. The final rule is extensive, covering many individual emissions sources at thousands of facilities in the oil and natural gas industry across the country. The EPA acknowledges the importance of finalizing these corrections to the regulatory text as soon as possible so that the regulated community can rely on regulatory text that is accurate and complete and avoid confusion about how to comply with the final rule. This action addresses the technical errors in the final rule identified to date by stakeholders, the Office of the Federal Register, and the EPA. This action does not attempt to address all issues identified by stakeholders following the

rules' promulgation. The EPA continues to review other issues that have been brought to the Agency's attention but are not addressed in this action. To the extent the EPA determines that additional action is appropriate to address other post-promulgation issues, we will initiate a separate rulemaking action. As explained in further detail in sections II.B–D, and in section IV, the EPA is taking this action as an interim final rule without prior proposal and public comment because the EPA finds that this action satisfies the good cause exemption from the notice and comment rulemaking requirement of the APA, 5 U.S.C. 553(b)(B).

B. Technical Corrections for NSPS OOOOa

Following signature of the final rule, we identified typographical errors included in the amendments to NSPS OOOOa. This action corrects those typographical errors, which are summarized below. In 40 CFR 60.5430a, the EPA identified a typographical error in the definition of "Equipment." The final rule inadvertently excluded the word "and" between "equipment leaks of GHG (in the form of methane)" and "VOC." This omission is clear from a plain reading of the text. This technical error of omission is corrected in this action. In addition, the EPA identified typographical errors in mathematical symbols used in tables in both NSPS OOOOa and NSPS OOOOb. These mathematical symbol errors are corrected by this action in both NSPS OOOOa and NSPS OOOOb. In the amendments to NSPS OOOOa of the final rule, these errors were identified in Table 1 to Subpart OOOOa of Part 60—Required Minimum Initial sulfur dioxide (SO₂) Emission Reduction Efficiency (Z_i) and Table 2 to Subpart OOOOa of Part 60—Required Minimum SO₂ Emission Reduction Efficiency (Z_c). In NSPS OOOOb, these errors were identified in Table 3 to Subpart OOOOb of Part 60—Required Minimum Initial SO₂ Emission Reduction Efficiency (Z_i) and Table 4 to Subpart OOOOb of Part 60—Required Minimum SO₂ Emission Reduction Efficiency (Z_c). The inadvertent typographical errors therein are the mathematical symbols "<" and ">" which were mistakenly included in the final rule as "<" and ">". These technical typographical errors are corrected in this action. Note that the corrections to the mathematical symbols in these tables parallel what is included in similar tables in NSPS OOOO, which are correct. The substance of the final rule remains unchanged by correcting these typographical errors. Thus, the EPA finds good cause to make these

production"), (2) natural gas processing, (3) natural gas transmission and storage, and (4) natural gas distribution.

² "Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review." Proposed rule. 86 FR 63110, November 15, 2021.

³ The EPA defines the Crude Oil and Natural Gas source category to mean: (1) crude oil production, which includes the well and extends to the point of custody transfer to the crude oil transmission pipeline or any other forms of transportation; and (2) natural gas production, processing, transmission, and storage, which include the well and extend to, but do not include, the local distribution company custody transfer station, commonly referred to as the "city-gate."

⁴ The term "designated facility" means "any existing facility which emits a designated pollutant and which would be subject to a standard of performance for that pollutant if the existing facility were an affected facility." See 40 CFR 60.21a(b).

⁵ "Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review." Supplemental notice of proposed rulemaking. 87 FR 74702, December 6, 2022.

corrections to the final rule without prior notice or comment, as these procedures are unnecessary, in accordance with APA section 553(b)(B). A red line and strike-out version of the corrected regulatory language for NSPS OOOOa amendment is available in Docket ID No. EPA-HQ-OAR-2021-0317.

C. Technical Corrections for NSPS OOOOb

1. Cross-Reference, Paragraph Designation, and Typographical Technical Corrections

Following signature of the final rule, stakeholders and the Office of the Federal Register brought to the Agency's attention, and the EPA itself identified, inadvertent errors in the regulatory text of NSPS OOOOb, including cross-reference, paragraph designation, and typographical errors. Table 2 (Cross-Reference, Paragraph Designation, and

Typographical Technical Corrections to 40 CFR part 60, subpart OOOOb) includes the sections and paragraphs of each identified error, the corrections being made by this action, and the reasoning for the corrections. The substance of the final rule remains unchanged by correcting these errors, which are technical in nature, and the EPA therefore finds good cause to make these technical corrections to the regulatory text of NSPS OOOOb, without prior notice and comment, as these procedures are unnecessary, in accordance with APA section 553(b)(B).

TABLE 2—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL TECHNICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOb

Section and paragraph	Technical correction and reason for change
60.5365b(e)(2)(i)(C)	Replace “(e)(1)(i)(A)” with “paragraph (e)(2)(i)(A)” to correct an inadvertent cross-reference error and paragraph referencing format.
60.5365b(g)(3)	a. Replace “§ 60.5423b(c)” with “§ 60.5423b(e)” to correct an inadvertent cross-reference error; and b. Replace “60.5415b(i)” with “60.5415b(k)” to correct an inadvertent cross-reference error.
60.5365b(g)(4)	Replace “60.5415b(i)” with “60.5415b(k)” to correct an inadvertent cross-reference error.
60.5365b(h)(2)	a. First sentence: Replace “§ 60.5390b” with “§ 60.5393b” to correct section reference; and b. Fourth sentence: Replace “(h)(2)(ii)” with “paragraph (h)(2)(ii)” to correct paragraph referencing format.
60.5365b(i)(3) introductory text	Replace “For purposes of § 60.5397b” with “For purposes of §§ 60.5397b and 60.5398b” to add cross-reference inadvertently omitted.
60.5365b(i)(3)(ii)	Second sentence: Replace “for purposes of § 60.5397b” with “for purposes of §§ 60.5397b and 60.5398b” to add cross-reference inadvertently omitted.
60.5370b(a)(1) introductory text	Replace “§ 60.5385b(a)” with “§ 60.5385b” to correct paragraph reference.
60.5370b(a)(1)(i)	Replace “§ 60.5385b(a)(1) and (d)(3)” with “§ 60.5385b(a)(1)” to remove cross-reference inadvertently included.
60.5370b(a)(4)	Replace “§ 60.5400b” with “§ 60.5400b or as an alternative, the requirements in § 60.5401b,” to include an inadvertent cross-reference addition and clarification.
60.5370b(a)(7)(i)	Replace “for your reciprocating compressor” with “for your centrifugal compressor” to correct an inadvertent typographical error.
60.5371b(d)(2) introductory text	Replace “(d)(6)(i) through (v)” with “(d)(2)(i) through (v)” to correct an inadvertent cross-reference error.
60.5371b(e)(1)(v)	Replace “(d)(6)(i) through (v)” with “(d)(2)(i) through (v)” to correct an inadvertent cross-reference error.
60.5376b(a)(1) introductory text	First sentence: Replace “(a)(1)(A) and (B)” with “(a)(1)(i) and (ii) and (d) and (e) of this section” to add cross-references inadvertently omitted and to correct paragraph referencing.
60.5376b(g)(4)	Replace “§ 60.5415b(f)” with “§ 60.5415b(b)” to correct an inadvertent cross-reference error.
60.5377b(g)(2)	Replace “§ 60.5377b(b)(1)” with “§ 60.5377b(b)” to correct paragraph referencing.
60.5380b(a)(5) introductory text	a. Replace “Alaska North Slope equipped with seal oil separator” with “Alaska North Slope equipped with sour seal oil separator” to include “sour” which was inadvertently not included. b. Add “of this section” after “(a)(1) and (2)” at the end of the first sentence to correct format inconsistency.
60.5385b(a)(3) introductory text	Replace “paragraph (b)” with “paragraph (b) or (c)” in the second sentence to correct cross-references to clarify that either paragraph can be used to conduct follow-up volumetric flow rate measurements.
60.5385b(g)	Replace “§ 60.5420b(b)(1), (6), (11) and (12)” with “§ 60.5420b(b)(1), (6), and (11) through (13)” to correct an inadvertent cross-reference error.
60.5386b(c) introductory text	Replace “.” with a “,” to correct an inadvertent punctuation error.
60.5393b(b)(6)(ii)	a. Replace “§ 60.5420b(c)(15)(ii) and (v)” with “§ 60.5420b(c)(15)(ii) through (iv)” to correct an inadvertent cross-reference error. b. Replace “§ 60.5420b(c)(15)(vi)” with “§ 60.5420b(c)(15)(v) certifying that there is no vapor recovery unit or control device on site.” to correct and clarify cross-reference.
60.5393b(b)(7)(iii)	Replace “§ 60.5393b(b)(5)(ii)” with “§ 60.5393b(b)(7)(ii)” to correct an inadvertent cross-reference error.
60.5395b(c)(1)(ii)	Replace “§ 60.5420b(b)(6)(viii)” with “§ 60.5420b(b)(8)(vii)” to correct an inadvertent cross-reference error.
60.5395b(c)(2)(iii)	Replace “§ 60.5420b(b)(8)(viii)” with “§ 60.5420b(b)(8)(vii)” to correct an inadvertent cross-reference error.
60.5395b(c)(4)	Replace “§ 60.5420b(b)(8)(ix)” with “§ 60.5420b(b)(8)(viii)” to correct an inadvertent cross-reference error.
60.5397b(d) introductory text	Replace “(d)(1) through (3)” with “(d)(1) and (2)” to correct an inadvertent cross-reference error.
60.5397b(k)	Replace “§ 60.5420b(c)(16)” with “§ 60.5420b(c)(14)” to correct an inadvertent cross-reference error.
60.5398b(d)(3)(iii)(A)	Delete “g” after “underlying” to remove an inadvertent typographical error.
60.5398b(d)(3)(vi) introductory text	Last sentence: Add “must” between “you” and “provide” to correct an inadvertent typographical error.
60.5400b(k)	Replace “§ 60.5420b(b)(1) and (11)” with “§ 60.5420b(b)(1) and (11) through (13), as applicable,” to correct inadvertent cross-reference omissions to include all cover, closed vent system and control device requirements.
60.5400b(l)	Replace “§ 60.5420b(c)(8), (10) and (12)” with “§ 60.5420b(c)(8) and (10) through (13), as applicable,” to correct inadvertent cross-reference omissions to include all cover, closed vent system and control device requirements.
60.5401b(b) introductory text	In the first and last sentence, replace “(b)(2) through (4)” with “(b)(2) through (6)” to correct two inadvertent cross-reference errors.
60.5401b(b)(2) introductory text	Replace “(b)(2)(i) through (vi)” with “(b)(2)(i) through (v)” to correct an inadvertent cross-reference error.

TABLE 2—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL TECHNICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOb—Continued

Section and paragraph	Technical correction and reason for change
60.5401b(b)(5) introductory text	Replace “paragraphs (b), (b)(1) and (b)(2)(iv) through (vi)” with “paragraphs (b) introductory text, (b)(1), and (b)(2)(iv) and (v)” to correct an inadvertent cross-reference error and formatting.
60.5401b(c)(5)	Replace “paragraph (i)(4)” with “paragraph (i)(6)” to correct an inadvertent cross-reference error.
60.5401b(f) introductory text	Replace “(h)(3) through (5)” with “(f)(3) through (5)” to correct an inadvertent cross-reference error.
60.5401b(f)(1)	Replace “(h)(3) through (5)” with “(f)(3) through (5)” to correct an inadvertent cross-reference error.
60.5401b(f)(3) introductory text	Replace “the requirements in paragraphs (f) of this section” with “the monitoring requirements of paragraph (f) of this section” to include consistent cross-reference specificity.
60.5401b(f)(4) introductory text	a. Replace “pump” with “valve” to correct an inadvertent error; and b. Replace “the monitoring requirements in paragraph (f) introductory text of this section” with “the monitoring requirements of paragraph (f) of this section” to include consistent cross-reference specificity.
60.5401b(f)(5) introductory text	Replace “the monitoring requirements in paragraph (h)” with “the monitoring requirements in paragraph (f)” to correct an inadvertent cross-reference error and to include consistent cross-reference specificity.
60.5401b(i)(2)(ii)	Replace “with (h)(2)(ii)(A), (B) or (C), and (D)” with “with paragraph (i)(2)(ii)(A), (B), or (C), of this section, unless you meet the requirements of paragraph (i)(2)(ii)(D) of this section” to correct an inadvertent cross-reference error and to include that, if complying with paragraph (i)(2)(ii)(D), an owner or operator is not required to comply with the requirements in paragraphs (i)(2)(ii)(A), (B), or (C).
60.5401b(l)	Replace “§§ 60.5420b(b)(1), (b)(11), and 60.5422b” with “§ 60.5420b(b)(1) and (11) through (13), as applicable, and § 60.5422b” to correct inadvertent cross-referencing errors to include all cover, closed vent system and control device requirements.
60.5401b(m)	Replace “§ 60.5420b(c)(8), (10), (12), and” with “§ 60.5420b(c)(8) and (10) through (13), as applicable, and” to correct recordkeeping referencing to include all cover, closed vent system and control device requirements, as applicable.
60.5402b(d) introductory text	Replace “§ 60.5403b(e)” with “§ 60.5403b(d)” to correct cross-reference error.
60.5403b(c) introductory text	Replace “§ 60.5401b(b), (c), and (f)” with “§ 60.5401b(b) and (f)” to remove cross-reference to paragraph “(c)” to correct an inadvertent cross-reference error. No detectable emissions (NDE) for pressure relief devices (PRDs) was removed in NSPS OOOOb.
60.5406b(c)(4)(iv) (second paragraph reference)	Redesignate second “§ 60.5406b(c)(4)(iv)” paragraph reference as “§ 60.5406b(c)(4)(vi)” to correct paragraph designation.
60.5407b(b)(4)	Replace “in paragraph (d)” with “in paragraph (c)” to correct an inadvertent cross-reference error.
60.5410b(b)(4) introductory text	Replace “paragraphs (b)(4)(i) through (vii)” with “paragraphs (b)(4)(i) through (vi)” to correct an inadvertent cross-reference error.
60.5410b(c) introductory text	Replace “paragraphs (c)(1) through (3)” with “paragraphs (c)(1) through (4)” to correct an inadvertent cross-reference error.
60.5410b(e)(3)	Replace “equipe” with “equip” to correct an inadvertent typographical error.
60.5410b(f) introductory text	Second sentence: Replace “must perform” with “must also perform” to correct an inadvertent omission.
60.5410b(f)(2) introductory text	Replace “(f)(2)(i) through (v)” with “(f)(2)(i) through (iv)” to correct an inadvertent cross-reference error.
60.5410b(g) introductory text	Second sentence: Replace “must perform” with “must also perform” to correct an inadvertent omission.
60.5410b(g)(1) introductory text	First sentence: Replace “(g)(ii) and (iv)” with “(g)(1)(ii) and (iv)” to correct an inadvertent cross-reference error.
60.5410b(g)(2)(i)	Replace “§ 60.5393b(b)(3)” with “§ 60.5393b(b)(5)” to correct an inadvertent cross-reference error.
60.5410b(g)(2)(ii)	Replace “§ 60.5393b(b)(4)” with “§ 60.5393b(b)(6)” to correct an inadvertent cross-reference error.
60.5410b(g)(2)(iii)	Replace “§ 60.5393b(b)(5)(i)” with “§ 60.5393b(b)(7)” to correct an inadvertent cross-reference error.
60.5410b(h)(12)	Replace “§ 60.5400b(h) or § 60.5400b(i)” with “§ 60.5400b(h) or § 60.5401b(i)” to correct an inadvertent cross-reference error.
60.5411b(b)(4)	Replace “paragraphs (b)(2)(i) through (iii)” with “paragraphs (b)(2)(i) through (iv)” to correct an inadvertent cross-reference error.
60.5412b(a) introductory text	First sentence: a. Replace “§ 60.5377b(f)” with “§ 60.5377b(d) or (f)”; b. Replace “§ 60.5380b(a)(1)” with “§ 60.5380b(a)(1) or (9)”; and c. Replace “§ 60.5393b(b)(1)” with “§ 60.5393b(b)(3)”. These replacements would correct inadvertent cross-reference errors and omissions.
60.5412b(c)(1)(i)	Second sentence: Replace “§ 60.5420b(c)(10) and (12)” with “§ 60.5420b(c)(11)” to correct an inadvertent cross-reference error.
60.5412b(d)(4)	Second sentence: Replace “§ 5417b(d)(8)(v)” with “§ 60.5417b(d)(8)(v)” to correct an inadvertent cross-reference error.
60.5413b introductory text	a. First sentence: Replace “pump affected facilities complying with § 60.5393b(b)(1), or process unit equipment affected facility” with “pump, or process unit equipment affected facilities” to correct language to be consistent with how other emission sources are listed/cited and for added clarity; and b. Last sentence: Replace “pump affected facilities complying with § 60.5393b(b)(1)” with “pump” to correct language to be consistent with how other emission sources are listed/cited.
60.5415b(e)(3)	Replace “§ 60.5420b(c)(8), (10), (12), and (15)” with “§ 60.5420b(c)(8), (10) through (12), and (15)” to correct an inadvertent cross-reference error.
60.5415b(f) introductory text	First sentence after title: Replace “paragraph (b), (c), (d)(1), (e)(1), (g), (h)(2)(iv), (i) or (j) of this section” with “paragraph (b), (c), (d)(1), (e)(1), (g)(2), (h)(2), (i)(5)(ii)(B) or (j)(12) of this section” to correct inadvertent cross-reference errors.
60.5415b(f)(1)(vii)(A)(4)	Replace “paragraph (f)(1)(vii)(D) of this section” with “paragraph (f)(1)(vii)(A)(2) of this section” to correct an inadvertent cross-reference error.
60.5415b(h)(3)	Replace “§ 60.5420b(b)(1), (7), and (11)(i) through (iv),” with “§ 60.5420b(b)(1), (7), and (11) through (13),” to correct an inadvertent cross-reference error.
60.5415b(i)(3)	Replace “requirements of § 60.5395b(c)(1) by” with “requirements of § 60.5395b(c)(1) or (2) by” to correct an inadvertent cross-reference omission.
60.5415b(i)(4)	Replace “§ 60.5395b(c)(1)” with “§ 60.5395b(c)(3) and (4)” to correct an inadvertent cross-reference error/omissions.

TABLE 2—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL TECHNICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOb—Continued

Section and paragraph	Technical correction and reason for change
60.5415b(k)(9)	Replace “by § 60.5423b(b) and (d)” with “by § 60.5423b(d)” to remove an inadvertent cross-reference.
60.5415b(l)(4)	Replace “§ 60.5420b(c)(16)” with “§ 60.5420b(c)(14)” to correct an inadvertent cross-reference error.
60.5416b(a) introductory text	Replace “paragraphs (b)(6) and (7)” with “paragraphs (b)(7) and (8)” to correct an inadvertent cross-reference error.
60.5416b(b)(2)	Last sentence: Replace “with this paragraph (b)(2)” with “with paragraph (b)(1)” to correct an inadvertent cross-reference error.
60.5417b(a)	First sentence: Replace “§ 60.5393b(b)(1) for your pumps” with “§ 60.5393b(b)(3) for your pumps” to correct an inadvertent cross-reference error.
60.5417b(d)(8) introductory text	Revise the first sentence to include commas before and after “other than those listed of this section”.
60.5417b(i)(4)	Replace “by § 5412b(d)(4)” with “by § 60.5412b(d)(4)” to correct an inadvertent cross-reference error.
60.5417b(i)(5)	Replace “by § 5412b(d)(5)” with “by § 60.5412b(d)(5)” to correct an inadvertent cross-reference error.
60.5417b(j)	Replace “in § 60.5420b(c)(1)” with “in § 60.5420b(c)(11)” to correct an inadvertent cross-reference error.
60.5420b(b)(1)(v)(A)	Replace “paragraph (b)(v) of” with “paragraph (b)(1)(v) of” to correct an inadvertent cross-reference error.
60.5420b(b)(1)(v)(B)	Replace “paragraph (b)(v) of” with “paragraph (b)(1)(v) of” to correct an inadvertent cross-reference error.
60.5420b(b)(5)(iii)	Replace paragraph with “If required to comply with § 60.5380b(a)(2) or (3), the information specified in paragraphs (b)(11)(i) through (iv) of this section, as applicable.” This adds “or (3)” and “, as applicable” to correct inadvertent cross-reference omission and to add “as applicable” to clarify that not all cited requirements may apply.
60.5420b(b)(5)(vi)	Replace “§ 60.5380b(a)(4) or (5)” with “§ 60.5380b(a)(4), (5) or (6)” to correct an inadvertent cross-reference error.
60.5420b(b)(6)(i)	Replace “May 7, 2024, or since the previous” with “May 7, 2024, since the previous” to correct grammar.
60.5420b(b)(6)(iv)	Revise paragraph to indicate that, if you are complying with § 60.5385b(d)(1) or (2), the information in paragraphs (b)(11)(i) through (iv) of the section apply and if you are complying by routing emissions to a control device, as required in § 60.5385b(d)(2), the information in paragraph (b)(11)(v) of the section applies. These revisions correct cross-reference omissions.
60.5420b(b)(7)(x)	Replace “paragraphs (b)(7)(ii)(B)” with “paragraphs (b)(7)(vi) and (vii)” to correct an inadvertent cross-reference error.
60.5420b(b)(10)(ii)	Replace “§ 60.5393b(b)(3)” with “§ 60.5393b(b)(5)” to correct an inadvertent cross-reference error.
60.5420b(b)(10)(iii)	Replace “§ 60.5393b(b)(4)” with “§ 60.5393b(b)(6)” to correct an inadvertent cross-reference error.
60.5420b(b)(10)(iv)	Replace “§ 60.5393b(b)(5)” with “§ 60.5393b(b)(7)” to correct an inadvertent cross-reference error.
60.5420b(b)(10)(v)(A)	Replace “§ 60.5393b(b)(1) or (3)” with “§ 60.5393b(b)(2), (3), or (5)” to correct inadvertent cross-reference errors.
60.5420b(b)(10)(v)(B)	a. Replace first mention of “§ 60.5393b(b)(1) or (3)” with “§ 60.5393b(b)(2), (3), or (5), as applicable,” to correct inadvertent cross-reference errors/omissions; and b. Replace second mention of “§ 60.5393b(b)(1) or (3)” with “§ 60.5393b(b)(2), (3), or (5)” to correct inadvertent cross-reference errors/omissions.
60.5420b(b)(10)(vii)	a. Replace “§ 60.5393b(b)(1) or (3)” with “§ 60.5393b(b)(3) or (5)” to correct an inadvertent cross-reference error; and b. Replace “paragraph (b)(11) of this section” with “paragraphs (b)(11)(i) through (v) of this section” to correct an inadvertent cross-reference error.
60.5420b(b)(11)(v)(L)	Change both references to “§ 60.5415b(f)(x)” to “§ 60.5415b(f)(1)(x)” to correct inadvertent cross-reference errors.
60.5420b(c)(2)(i)(A)	Last sentence: Change “records all of the” to “records of all the” to correct an inadvertent typographical error.
60.5420b(c)(2)(ii)(C)	Replace “taken minimize” with “taken to minimize” to correct an inadvertent typographical error.
60.5420b(c)(2)(ii)(D)	Replace “documentation of best management practice plans steps were not followed” with “documentation of best management practice plan steps not followed” to correct a typographical error.
60.5420b(c)(3)(iv)(B)	a. Replace “§ 60.5380b” with “§ 60.5377b” to correct an inadvertent cross-reference error; and b. Replace “paragraph (c)(11)” with “paragraphs (c)(11) and (13)” to correct an inadvertent cross-reference omission.
60.5420b(c)(4)(iii) introductory text	a. Replace “self-contained wet seal compressor, or” with “self-contained wet seal compressor, centrifugal compressor equipped with sour seal oil separator and capture system, or” to correct an inadvertent reference omission; and b. Replace “§ 60.5380b(a)(4) and (5)” with “§ 60.5380b(a)(4), (5) or (6)” to correct an inadvertent cross-reference omission.
60.5420b(c)(4)(iii)(C)(2)	Replace “§ 60.5380b(a)(5)” with “§ 60.5380b(a)(4) through (6)” to correct inadvertent cross-reference omissions.
60.5420b(c)(5) introductory text	Replace “(c)(8), (c)(10) and (c)(12) of this section” with “(c)(8) through (13) of this section” to correct inadvertent cross-reference omissions.
60.5420b(c)(7)(iv)(A)	Replace “paragraph (c)(11)” with “paragraphs (c)(11) and (13)” to correct an inadvertent cross-reference omission.
60.5420b(c)(11) introductory text	Revised to correct inadvertent cross-reference errors/omissions.
60.5420b(c)(11)(v)	Replace both references to “§ 60.5415b(f)(x)” with “§ 60.5415b(f)(1)(x)” to correct inadvertent cross-reference errors.
60.5420b(c)(15)(iv)	Replace “§ 60.5393b(b)(3)” with “§ 60.5393b(b)(5)” to correct an inadvertent cross-reference error.
60.5420b(c)(15)(v)	a. First sentence: Replace “you must retain a record of your certification required under § 60.5393b(b)(4)” with “you must retain a record of your certification required under § 60.5393b(b)(6)” to correct an inadvertent cross-reference error; and b. Second sentence: Replace “paragraphs (c)(15)(ii), (iii) or (iv) of this section” with “paragraph (c)(15)(ii) and paragraph (c)(15)(iii) or (iv) of this section” to correct an inadvertent omission to clarify that complying with paragraph (c)(15)(ii) is not conditional.
60.5420b(d) introductory text	Third sentence: Replace “paragraphs (g)(1) and (2) of this section” with “paragraphs (d)(1) and (2) of this section” to correct an inadvertent cross-reference error.

TABLE 2—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL TECHNICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOb—Continued

Section and paragraph	Technical correction and reason for change
60.5421b introductory text	First sentence: Replace “paragraphs (b)(1) through (16) of this section” with “paragraphs (b)(1) through (17) of this section” to correct an inadvertent cross-reference error.
60.5421b(b) introductory text	Replace “paragraphs (b)(1) through (16)” with “paragraphs (b)(1) through (17)” to correct an inadvertent cross-reference error.
60.5421b(b)(11)(vi)	Change paragraph designation to “(b)(11)(iv)”.
Newly designated 60.5421b(b)(11)(iv).	Replace “paragraph (b)(11)(vi)(A) through (C)” with “paragraph (b)(11)(iv)(A) through (C)” to conform cross-reference with corrected paragraph designation (see above).
60.5424b(e)(6)	Replace “§ 60.5398b(c)(1)(ii)(D)” with “§ 60.5398b(c)(1)(iv)(D)” to correct an inadvertent cross-reference error.
60.5430b “No identifiable emissions” definition.	Italicize “emissions” in “No identifiable emissions” to correct an inadvertent inconsistency error to make it clear that the phrase being defined is inclusive of “emissions.”
60.5430b “Storage vessel” definition.	Subparagraph (1) of definition, second sentence: Replace “§ 60.5420b(c)(5)(iv)” with “§ 60.5420b(c)(7)(v)” to correct an inadvertent cross-reference error.
Table 3 to Subpart OOOOb of Part 60—Required Minimum Initial SO ₂ Emission Reduction Efficiency (Z _i).	Table 3 is corrected by revising mathematical symbols where “greater than or equal to” and “less than or equal to” symbols were not included.
Table 4 to Subpart OOOOb of Part 60—Required Minimum SO ₂ Emission Reduction Efficiency (Z _c).	Table 4 is corrected by revising mathematical symbols where “greater than or equal to” and “less than or equal to” symbols were not included.

2. Clarifying Technical Corrections

This action also makes technical corrections to clarify language in the regulatory text that was erroneously included (or in some cases, erroneously omitted). Table 3 (Clarifying Technical Corrections to 40 CFR part 60, subpart OOOOb) includes the sections and paragraphs of each identified error, the

corrections being made by this action, and the reasoning for the corrections. These clarifying technical corrections do not substantively alter the regulatory text in a way that affects the regulated community or the public because they do not change any substantive standard—they simply clarify erroneous language and/or omissions. The substance of the final rule remains

unchanged by making these clarifying technical corrections and therefore, the EPA finds good cause to make the clarifying technical corrections to the regulatory text of NSPS OOOOb set forth in Table 3, without prior notice and comment, as these procedures are unnecessary, in accordance with APA section 553(b)(B).

TABLE 3—CLARIFYING TECHNICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOb

Section and paragraph	Clarifying technical correction and reason for change
60.5371b(c)(4)	Replace “within 50 meters of the latitude and longitude coordinates of the super-emitter event.” with “within 50 meters of the latitude and longitude coordinates of the super-emitter event, if available.” to correct an inadvertent omission. “If available” is included on 89 FR 16880 in the Final Rule preamble discussion of third-party notifications that must be submitted to the Super Emitter Program Portal. This change is consistent with the Final Rule preamble discussion.
60.5385b(d)(3)	Remove “initial” before “startup” to be consistent with other referencing in the Final Rule and 89 FR 16896 of the Final Rule preamble.
60.5386b(a)(1) introductory text	Second sentence: Add “or wet” after “dry” to correct an inadvertent omission. See 89 FR 17058, § 60.5386b(a) introductory text Final Rule regulatory language which indicates that requirements also apply to wet seal compressors. This correction is consistent with the cited Final Rule regulatory language.
60.5398b(b)(5)(ii)(A)	Revised to clarify that monitoring surveys must be conducted for all the fugitive emissions components in an affected facility using either OGI or EPA Method 21 to appendix A–7 of this part; and that the procedures in your monitoring plan must be followed when conducting the survey. These revisions correct an inadvertent omission of the specific survey methods and procedures required. See 89 FR 16874 Final Rule preamble periodic screening discussion. These clarifying correction are consistent with the Final Rule preamble discussion.
60.5398b(b)(5)(iii)(A)	Revised to clarify that monitoring surveys must be conducted for all fugitive emissions components located within a 4-meter radius of the location of the periodic screening’s confirmed detection using either OGI or EPA Method 21 to appendix A–7 of part 60. These revisions correct an inadvertent omission of the specific survey methods required. See 89 FR 16874 Final Rule preamble periodic screening discussion. This correction is consistent with the Final Rule preamble discussion.
60.5398b(b)(5)(iv)(A)	a. Delete “the” before “all the fugitive emissions” in the first sentence to omit an inadvertent typographical error; and b. Add “using either OGI or EPA Method 21 to appendix A–7 of this part” after “confirmed detection” at the end of the first sentence to correct an inadvertent omission. See 89 FR 16874 Final Rule preamble periodic screening discussion. This correction is consistent with the Final Rule preamble discussion.

TABLE 3—CLARIFYING TECHNICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOb—Continued

Section and paragraph	Clarifying technical correction and reason for change
60.5400b(c)(1)	Replace “5 calendar days using the methods” with “5 calendar days using OGI in accordance with Appendix K or the methods” to correct an inadvertent omission that specifically clarifies that screening using OGI in accordance with Appendix K is an option, consistent with the Final Rule preamble. See 89 FR 16899 to 16900 Final Rule preamble discussion. This correction is consistent with the Final Rule preamble discussion.
60.5401b(h)(1)	a. Add “all connectors” between “and” and “in light” to include referencing consistency; and b. Add the following sentence to clarify what constitutes a leak for connectors: “If an instrument reading greater than or equal to 500 ppmv is measured, a leak is detected.” These corrections address inadvertent language/omission errors. Change “a.” is consistent with language at the beginning of the sentence that states “monitor all connectors in gas/vapor service” (see 89 FR 17077). Change “b.” includes language that indicates what constitutes a leak based on Method 21, consistent with other statements in the Final Rule preamble and regulatory text (e.g., see 89 FR 17076).
60.5410b(c)(2)(i)	Replace “another well, and submit this documentation in the initial annual report” with “another well, maintain the documentation in accordance with § 60.5377(g), and submit this documentation in the initial annual report as required by paragraph (c)(4) of this section” to correct an inadvertent cross-reference error and omission of a cross-reference to the requirement to maintain documentation. See 89 FR 17084 for the Final Rule regulatory text requirements. These changes are consistent with the Final Rule regulatory text requirements.
60.5410b(c)(2)(ii)	Replace “(ii) Submit the certification as required by § 60.5377b(g)” with “(ii) Maintain a copy of the certification and submit the certification as required by § 60.5377b(g)” to correct the language to clarify that an owner or operator needs to maintain a copy of the certification. See 89 FR 17084 for the Final Rule regulatory text. These changes are consistent with the Final Rule regulatory text.
60.5410b(d)(2)	Replace “closed vent system that meets” with “closed vent system to a process that meets” in the last sentence to clarify that requirements apply when emissions are routed to a process and to be consistent with the second sentence of the paragraph. See 89 FR 17084 for the Final Rule regulatory text. This change is consistent with the Final Rule regulatory text.
60.5410b(d)(6) introductory text	Delete last sentence to correct an inadvertent cross-reference error. For clarity, rather than correct reference to more broadly apply to paragraph (a), sections (d)(6)(i) through (iii) were revised to more-specifically clarify requirements for each of the three types of centrifugal compressors. (See below.) See 89 FR 16891 to 16892 of the Final Rule preamble for a discussion regarding centrifugal compressor annual volumetric flow measurement requirements. These changes are consistent with the Final Rule preamble discussion.
60.5410b(d)(6)(i)	Add the following sentence to more-specifically clarify and correct an inadvertent omission of referencing to the requirements that apply to self-contained wet seal centrifugal compressors: “You must conduct your initial annual volumetric measurement as required by § 60.5380b(a)(4).” For clarity, rather than correct reference to more broadly apply to paragraph (a), sections (d)(6)(i) through (iii) were revised to more-specifically clarify requirements for each of the three types of centrifugal compressors. See 89 FR 16891 to 16892 of the Final Rule preamble for a discussion regarding centrifugal compressor annual volumetric flow measurement requirements. These changes are consistent with the Final Rule preamble discussion.
60.5410b(d)(6)(ii)	Add the following sentence to more-specifically clarify and correct an inadvertent omission of referencing to the requirements that apply to centrifugal compressors on the Alaska North Slope equipped with sour seal oil separator and capture systems: “You must conduct your initial annual volumetric measurement as required by § 60.5380b(a)(5).” For clarity, rather than correct reference to more broadly apply to paragraph (a), sections (d)(6)(i) through (iii) were revised to more-specifically clarify requirements for each of the three types of centrifugal compressors. See 89 FR 16891 to 16892 of the Final Rule preamble for a discussion regarding centrifugal compressor annual volumetric flow measurement requirements. These changes are consistent with the Final Rule preamble discussion.
60.5410b(d)(6)(iii)	a. Replace “dry seal compressor” with “dry seal centrifugal compressor” for centrifugal compressor referencing consistency; and b. Add the following sentence to more-specifically clarify and correct an inadvertent omission of referencing to the requirements that apply to dry seal centrifugal compressors: “You must conduct your initial annual volumetric measurement as required by § 60.5380b(a)(6).” For clarity, rather than correct reference to more broadly apply to paragraph (a), sections (d)(6)(i) through (iii) were revised to more-specifically clarify requirements for each of the three types of centrifugal compressors. See 89 FR 16891 to 16892 of the Final Rule preamble for a discussion regarding centrifugal compressor annual volumetric flow measurement requirements. These changes are consistent with the Final Rule preamble discussion.
60.5412b(a) introductory text	Second sentence: Replace “As an alternative to paragraphs (a)(1) through (a)(3) of this section, you may install a control device model tested under § 60.5413b(d)” with “As an alternative to paragraph (a)(1) of this section, you may install a combustion control device model tested under § 60.5413b(d)” to correct an inadvertent omission that clarifies that control device model test requirements are for combustion control device models. See 89 FR 17093 for combustion device model testing regulatory text requirements. This change is consistent with the regulatory text requirements.
60.5415b(d)(2)	Revised paragraph to clarify the volumetric monitoring compliance options for each of the centrifugal compressor types. Volumetric monitoring requirements are the same for all centrifugal compressors and are repeated and referenced under differing subparagraphs of paragraph (a). See 89 FR 16891 to 16892 for a Final Rule preamble discussion of centrifugal compressor requirements. These changes are consistent with the Final Rule preamble discussion.

TABLE 3—CLARIFYING TECHNICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOb—Continued

Section and paragraph	Clarifying technical correction and reason for change
60.5415b(e)(1)	Replace “you must continuously” with “you must route emissions through a closed vent system and continuously” to correct an inadvertent omission and to clearly state that routing emissions through a closed vent system “and” complying with the requisite closed vent system requirements is required when routing emissions to a process. This change corrects an inadvertent omission and is consistent with the Final Rule regulatory text for similar requirements (e.g., see 89 FR 17181, 17182, and 17184 for similar requirements for liquids unloading, associated gas, centrifugal compressors, and reciprocating compressors).
60.5415b(h)(1)(i)	Replace “must comply” with “must route emissions through a closed vent system and continuously comply” to correct an inadvertent omission and to clearly state that routing emissions through a closed vent system “and” continuously complying with the requisite closed vent system requirements is required when routing emissions to a process. This change corrects an inadvertent omission and is consistent with the Final Rule regulatory text for similar requirements (e.g., see 89 FR 17181, 17182, and 17184 for similar requirements for liquids unloading, associated gas, centrifugal compressors, and reciprocating compressors).
60.5415b(h)(2)	Replace “must comply” with “must route emissions to a control device through a closed vent system and continuously comply” to correct an inadvertent omission and to clearly state that routing emissions through a closed vent system “and” continuously complying with the requisite closed vent system requirements is required when routing emissions to a control device. This change corrects an inadvertent omission. This change corrects an inadvertent omission and is consistent with the Final Rule regulatory text for similar requirements (e.g., see 89 FR 17181, 17182, and 17184 for similar requirements for liquids unloading, associated gas, centrifugal compressors, and reciprocating compressors).
60.5415b(i)(2)(iii)	Replace “4 tpy or greater and the increase” with “4 tpy or greater or methane emissions from your storage vessel affected facility increase to 14 tpy or greater and the increase” to correct an inadvertent omission. See 89 FR 16896 to 16897 for a Final Rule preamble discussion of storage vessel requirements. This change is consistent with the Final Rule preamble discussion.
Table 5 to Subpart OOOOb of Part 60—Applicability of General Provisions to Subpart OOOOb; General provisions citation § 60.8.	Revise second sentence of “Explanation” column by replacing “Performance testing is required for control devices used on storage vessels, centrifugal compressors, process controllers, and pumps complying with § 60.5393b(b)(1), except” with “Performance testing is required for control devices used on wells, storage vessels, centrifugal compressors, reciprocating compressors, process controllers, and pumps, as applicable, except” to correct inadvertent affected facility omissions and to correct the referencing for pumps to exclude “complying with § 60.5393b(b)(1)” to be consistent with other emission source referencing. These changes correct the listing of affected facilities where the Final Rule includes control device performance testing requirements to comply and to clarify that the performance test requirements apply conditionally (i.e., performance test requirements would not apply where an affected facility complies with the final rule by meeting a compliance option that does not require control device performance testing).

The EPA finds good cause to make these technical corrections and clarifications to NSPS OOOOb, identified above in Tables 2 and 3, without prior notice and comment, as these procedures are unnecessary, in accordance with APA section 553(b)(B).

A red line and strike-out version of the corrected regulatory language for NSPS OOOOb is available in Docket ID No. EPA-HQ-OAR-2021-0317.

D. Technical Corrections for EG OOOOc

1. Cross-Reference, Paragraph Designation, and Typographical Technical Corrections

Following signature of the final rule, stakeholders and the Office of the Federal Register brought to the Agency’s attention, and the EPA itself identified, inadvertent errors, including cross-reference, paragraph designation, and typographical errors, in the regulatory text of NSPS OOOOc. Table 4 (Cross-Reference, Paragraph Designation, and

Typographical Technical Corrections to 40 CFR part 60, subpart OOOOc) includes the sections and paragraphs of the identified errors, the corrections being made, and the reasoning for the corrections. For the same reasons explained in Section II.C.1 discussing such corrections for NSPS OOOOb, the EPA finds good cause to make these technical corrections to the regulatory text of EG OOOOc without prior notice and comment, as these procedures are unnecessary, in accordance with APA section 553(b)(B).

TABLE 4—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOc

Section and paragraph	Technical correction and reason for change
60.5370c(b)	Replace “§§ 60.5380c through 60.5382c” with “§§ 60.5379c through 60.5381c” to correct an inadvertent cross-reference error.
60.5374c(b)	Replace “§ 60.5367c” with “§ 60.5368c” to correct an inadvertent cross-reference error.
60.5375c(a)(3)	Replace “§ 60.14c” with “§ 60.14(e)” to correct an inadvertent cross-reference error.
60.5386c(e)(2)(i)(C)	Replace “(e)(1)(i)(A)” with “paragraph (e)(2)(i)(A) of this section” to correct an inadvertent cross-reference error.
60.5388c(a)(1)	First sentence: Replace “EPA under paragraph (e) of this section” with “EPA under paragraph (b) of this section” to correct an inadvertent cross-reference error.
60.5388c(a)(2)	a. Replace paragraph (a)(2) by adding paragraph (a)(3) regulatory text to paragraph (a)(2); and b. Replace “paragraph (a)(2)” referencing to state “this paragraph (a)(2)”. These corrections correct inadvertent paragraph designation and cross-reference errors.

TABLE 4—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOc—Continued

Section and paragraph	Technical correction and reason for change
60.5388c(a)(3)	Remove paragraph (a)(3). The regulatory text of (a)(3) was added to paragraph (a)(2) (see above).
60.5388c(a)(4)	Change paragraph designation to (a)(3) to correct a typographical error.
60.5388c(b)(1)(v)	Replace “paragraphs (a)(3)(i) through (v)” with “paragraphs (a)(2)(i) through (v)” to correct an inadvertent cross-reference error.
60.5390c(a)(1) introductory text	Replace “paragraphs (a)(1)(A) and (B)” with “paragraphs (a)(1)(i) and (ii) and (d) and (e)” to correct inadvertent omissions of cross-references and to correct paragraph referencing.
60.5391c(b)(2)(i)	Third sentence: Replace “§ 60.5420c(c)(2)(ii)” with “§ 60.5420c(c)(2)(iv)” to correct an inadvertent cross-reference error.
60.5391c(b)(2)(ii)	Third sentence: Replace “§ 60.5391c(b)(1)” with “§ 60.5391c(b)(2)” to correct an inadvertent cross-reference error.
60.5391c(b)(2)(iv)	Replace “§ 60.5420c(c)(3)(ii)” with “§ 60.5420c(c)(2)(iv)” to correct an inadvertent cross-reference error.
60.5391c(c) introductory text	a. Second sentence: Replace “§ 60.5412c (a), (b) and (c)” with “§ 60.5412c” to correct an inadvertent cross-reference error; and b. Last sentence: Replace “§ 60.5420c(c)(3)” with “§ 60.5420c(c)(2)” to correct an inadvertent cross-reference error.
60.5391c(c)(3)	Replace “For (a)(1) and (b)(1) of this section, through the duration” with “For wells complying with paragraph (a)(1) of this section, for the duration” to correct an inadvertent addition of a cross-reference and to correct a typographical error.
60.5391c(d) introductory text	Last sentence: Replace “§ 60.5420c(c)(3)” with “§ 60.5420c(c)(2)” to correct an inadvertent cross-reference error.
60.5391c(e)(2)	Replace “§ 60.5410c(c)(3)” with “§ 60.5420c(c)(2)”, and “§ 60.5410c(b)(3)” with “§ 60.5420c(b)(3)” to correct inadvertent cross-reference errors.
60.5391c(e)(3)	Replace “paragraph (a)(d)(1)” with “paragraph (e)(1)” to correct an inadvertent cross-reference error.
60.5391c(g)	Replace “§ 60.5415c(b)(3)” with “§ 60.5415c(b)” to correct an inadvertent cross-reference error.
60.5391c(h)	Replace “perform the required recordkeeping and reporting as required by § 60.5420c(b)(3),” with “perform the recordkeeping and reporting as required by § 60.5420c(b)(1), (3), and (10) through (12)” to correct inadvertent cross-reference omissions and to eliminate redundancy of the term “required”.
60.5393c(g)	Replace “60.5420c(b)(1), (5), (10) and (11), as applicable; and the recordkeeping requirements as specified in § 60.5420c(c)(4) and (7) through (11)” with “§ 60.5420c(b)(1) and (5) and (10) through (12), as applicable; and the recordkeeping requirements as specified in § 60.5420c(c)(4) and (7) through (12)” to correct inadvertent cross-reference omissions.
60.5394c(b)(3)	Replace “emissions through a closed vent system to a control device through a closed vent system” with “emissions to a control device through a closed vent system” to correct inadvertent redundancy.
60.5395c(b)(6)(ii)	Replace “in § 60.5420c(c)(14)(vi)” with “in § 60.5420c(c)(14)(v) certifying that there is no vapor recovery unit or control device on site” to correct an inadvertent cross-reference error and to state the corrected cross-reference requirements.
60.5395c(b)(7)(iii)	Replace “I further certify that the assessment was conducted and this report was prepared pursuant to the requirements of § 60.5395c(b)(5)(ii)” with “I further certify that the assessment was conducted and this report was prepared pursuant to the requirements of § 60.5395c(b)(7)(ii)” to correct an inadvertent cross-reference error.
60.5396c(a)(3) introductory text	First sentence: Replace “paragraphs (a)(3)(i) through (iii)” with “paragraphs (a)(3)(i) and (ii)” to correct an inadvertent cross-reference error.
60.5396c(c)(1)(ii)	Replace “required in § 60.5420c(b)(7)(viii)” with “required in § 60.5420c(b)(7)(vii)” to correct an inadvertent cross-reference error.
60.5396c(c)(4)	Replace “required in § 60.5420c(b)(7)(ix)” with “required in § 60.5420c(b)(7)(viii)” to correct an inadvertent cross-reference error.
60.5398c(c)(5)(ii)	a. Second sentence: Replace “beginning the period in paragraph (b)(5)(iii) of this section” with “beginning the period in paragraph (c)(5)(iii) of this section” to correct an inadvertent cross-reference error; and b. Last sentence: Replace “paragraph (b)(5)(iii) of this section” with “paragraph (c)(5)(iii) of this section” to correct an inadvertent cross-reference error.
60.5400c(a)(1)	Last sentence: Replace “see § 60.17” with “see § 60.17” to address a typographical error (added a space between “see” and “§”).
60.5400c(k)	Replace “§ 60.5420c(b)(1) and (10)” with “§ 60.5420c(b)(1) and (10) through (12), as applicable,” to correct inadvertent cross-reference omissions.
60.5400c(l)	Replace “§ 60.5420c(c)(7), (9), and (11)” with “§ 60.5420c(c)(7) and (9) through (12), as applicable,” to correct inadvertent cross-reference omissions.
60.5401c(a) introductory text	First sentence: Replace “requirements in paragraphs (b)” with “requirements in paragraph (b)” to correct a typographical and a format error.
60.5401c(b) introductory text	First and last sentence: Replace “in paragraphs (b)(2) through (4)” with “in paragraphs (b)(2) through (6)” to correct inadvertent cross-reference errors.
60.5401c(b)(2) introductory text	Replace “paragraphs (b)(2)(i) through (vi) of this section” with “paragraphs (b)(2)(i) through (v) of this section” to correct an inadvertent cross-reference error.
60.5401c(b)(5) introductory text	Replace “(b)(1) and (b)(2)(iv) through (vi) of this section” with “(b)(1) and (b)(2)(iv) and (v) of this section” to correct an inadvertent cross-reference error.
60.5401c(c)(5)	Replace “except as provided in paragraph (i)(4) of this section” with “except as provided in paragraph (i)(6) of this section” to correct an inadvertent cross-reference error.
60.5401c(f) introductory text	Replace “paragraphs (h)(3) through (5)” with “paragraphs (f)(3) through (5)” to correct an inadvertent cross-reference error.
60.5401c(f)(1)	Replace “paragraphs (h)(3) through (5)” with “paragraphs (f)(3) through (5)” to correct an inadvertent cross-reference error.

TABLE 4—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOc—Continued

Section and paragraph	Technical correction and reason for change
60.5401c(f)(3) introductory text	Replace “the requirements in paragraphs (f) of this section” with “the monitoring requirements of paragraph (f) of this section” to include cross-reference specificity to include the exemption from the monitoring requirements.
60.5401c(f)(4) introductory text	Replace “unsafe-to-monitor pump” with “unsafe-to-monitor valve” to correct a typographical error.
60.5401c(f)(5) introductory text	Replace “paragraph (h) of this section” with “paragraph (f) of this section” to correct inadvertent cross-reference error.
60.5401c(l)	Replace “§ 60.5420c(b)(1) and (b)(10)” with “§ 60.5420c(b)(1) and (10) through (12), as applicable,” to correct inadvertent cross-reference omissions.
60.5401c(m)	Replace “§ 60.5420c(c)(7), (9), (11), and” with “§ 60.5420c(c)(7) and (9) through (12), as applicable, and” to correct inadvertent cross-reference omissions.
60.5402c(d) introductory text	Replace “60.5403c(e)” with “60.5406c(d)” to correct an inadvertent cross-reference error.
60.5405c(a) introductory text	a. Replace “§ 60.5393c(a)(2)(iv)” with “§ 60.5393c(a)” to correct an inadvertent cross-reference error; and b. Replace “§ 60.5392c(a)(2)(i)(A)” with “§ 60.5392c(a)(1) or (2)” to correct an inadvertent cross-reference error; and c. Add an “s” to “paragraph” introducing “(a)(1) and (2)” to correct a typographical error.
60.5405c(a)(2)	Replace “§ 60.5403c(b)(1) and (2)” with “§ 60.5406c(b)(1) and (2)” to correct an inadvertent cross-reference error.
60.5405c(c)(4)(ii)	Add space between “sensor(s)” and “must” to correct a typographical error.
60.5406c(c) introductory text	Replace “§ 60.5401c(b), (c), and (f)” with “§ 60.5401c(b) and (f)” to correct an inadvertent cross-reference error.
60.5410c(a)(3)(i)	Replace “§ 60.5390c(d)” with “§ 60.5390c(c)” to correct an inadvertent cross-reference error.
60.5410c(a)(4)(iv)	Replace “You must conduct the initial” with “Conduct the initial” to conform with other subparagraphs.
60.5410c(a)(4)(v)	Replace “You must install and” with “Install and” to conform with other subparagraphs.
60.5410c(a)(4)(vi)	a. Replace “You must maintain the” with “Maintain the” to conform with other subparagraphs; and b. Replace “by § 60.5420c(b)(11) through (13), as applicable” with “by § 60.5420c(b)(10) through (12), as applicable” to correct inadvertent cross-reference errors.
60.5410c(b)(1)	Replace “§ 60.5420c(c)(2)(i) and submit the information required by § 60.5420c(b)(3)(i) through (iv)” with “§ 60.5420c(c)(2)(i) and (ii), as applicable, and submit the information required by § 60.5420c(b)(3)(i) through (v)” to correct inadvertent cross-reference errors/omissions.
60.5410c(b)(2)	Replace “initial annual report, and” with “initial annual report as required by paragraph (b)(5) of this section, and” to correct an inadvertent cross-reference omission.
60.5410c(b)(3)	a. First sentence: Replace “§ 60.5391c(e)(1) and” with “§ 60.5391c(b)(2), maintain the documentation in accordance with § 60.5391c(b)(2)(iv), and” to correct inadvertent cross-reference error/omission; and b. Second sentence: Replace “initial annual report, and” with “initial annual report as required by paragraph (b)(5) of this section, and” to correct an inadvertent cross-reference omission.
60.5410c(b)(4) introductory text	Replace “§ 60.5391c(b), you must comply with paragraphs (b)(4)(i) through (iv) of this section” with “§ 60.5391c(b) or (c), you must comply with paragraphs (b)(4)(i) through (vi) of this section.” to correct inadvertent cross-reference error/omission, to correct the format of the paragraph reference, and to add punctuation (a period).
60.5410c(b)(4)(v)	Replace “§ 60.5417c(a) through (g)” with “§ 60.5417c(a) through (i)” to correct an inadvertent cross-reference error.
60.5410c(b)(4)(vi)	Replace “60.5420c(c)(2)(ii) and” with “60.5420c(c)(2)(ii) and (v), and” to correct an inadvertent cross-reference omission.
60.5410c(e) introductory text	Second sentence: a. Replace “If you change compliance methods, you must perform” with “If you change compliance methods, you must also perform” to correct an inadvertent omission to clarify that performing applicable compliance demonstrations is an additional requirement when there is a change in compliance methods. b. Replace “records required by paragraph (e)(1)(i) or (ii) of this section, for” with “records required by paragraph (e)(1)(i) or (ii) of this section, as applicable, for” to correct an inadvertent omission to indicate that records required are dependent on the new compliance method.
60.5410c(e)(1) introductory text	Replace “paragraph (e)(3) of this section” with “paragraphs (e)(1)(i) and (ii) of this section” to correct an inadvertent cross-reference error.
60.5410c(e)(2)(iv)(C)	Replace “continuous compliance requirements of § 60.5415c(g)” with “continuous compliance requirements of § 60.5415c(e)” to correct an inadvertent cross-reference error.
60.5410c(e)(2)(iv)(D)	Replace “§ 60.5417c(a) through (g), as applicable” with “§ 60.5417c(a) through (i), as applicable” to correct an inadvertent cross-reference error.
60.5410c(f)(1) introductory text	Second sentence: “paragraphs (f)(1)(i) and (v) of this section” with “paragraphs (f)(1)(i) through (v) of this section” to correct inadvertent cross-reference omissions.
60.5410c(f)(2)(iii)	Replace “§ 60.5395c(b)(5)(i)” with “§ 60.5395c(b)(7)(i)” to correct an inadvertent cross-reference error.
60.5410c(f)(3)	Replace “§ 60.5420c(b)(1) and (9)” with “§ 60.5420c(b)(1) and (9) through (12), as applicable” to correct inadvertent cross-reference omissions.
60.5410c(g)(11)(iii)	Replace “§ 60.5415c(d)” with “§ 60.5415c(e)” to correct an inadvertent cross-reference error.
60.5410c(g)(11)(v)	Replace “§ 60.5417c(a) through (g)” with “§ 60.5417c(a) through (i)” to correct an inadvertent cross-reference error.
60.5410c(g)(12)	Replace “§ 60.5400c(h) or § 60.5400c(i)” with “§ 60.5400c(h) or § 60.5401c(i)” to correct an inadvertent cross-reference error.
60.5410c(h)(4)	Replace “continuous compliance requirements of § 60.5415c(h)” with “continuous compliance requirements of § 60.5415c(e)” to correct an inadvertent cross-reference error.
60.5410c(h)(6)	Replace “§ 60.5417c(a) through (g)” with “§ 60.5417c(a) through (i)” to correct an inadvertent cross-reference error.
60.5411c(b)(4)	Replace “paragraphs (b)(2)(i) through (iii) of this section” with “paragraphs (b)(2)(i) through (iv) of this section” to correct an inadvertent cross-reference error.

TABLE 4—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOc—Continued

Section and paragraph	Technical correction and reason for change
60.5412c(a) introductory text	a. Replace “§ 60.5391c(b) for your well designated facility with associated gas” with “§ 60.5391c(b) or (c) for your well designated facility with associated gas” to correct an inadvertent cross-reference omission; and b. Replace “§ 60.5395c(b)(1) for your pumps designated facility” with “§ 60.5395c(b)(3) for your pumps designated facility” to correct an inadvertent cross-reference error.
60.5412c(a)(3)(iii) and (iv)	For variables “NHVcz” and “NHVdil” correct so that “cz” and “dil” are subscripts to correct inadvertent typographical errors.
60.5412c(c)(1)(i)	Replace “§ 60.5420c(c)(9) and (11)” with “§ 60.5420c(c)(10)” to correct an inadvertent cross-reference error.
60.5413c introductory text	a. First sentence: Replace “process controller, pump designated facilities complying with § 60.5393c(b)(1), or process unit equipment designated facility” with “process controller, pump, or process unit equipment designated facilities” to be consistent with other referencing in the paragraph; and b. Last sentence: Replace “pump designated facilities complying with § 60.5393c(b)(1)” with “pump” to be consistent with other referencing in the paragraph.
60.5415c(a)	a. Second sentence: Replace “each gas well liquids unloading well affected facility” with “each gas well liquids unloading well designated facility” to correct an inadvertent typographical error; and b. Last sentence: Replace “specified in paragraph (f) of this section and maintain the records in § 60.5420c(c)(7), (9), and (11)” with “specified in paragraph (e) of this section, maintain the reports in § 60.5420c(b)(10)(i) through (iv), and maintain the records in § 60.5420c(c)(7), (9), and (11)” to correct an inadvertent cross-reference error and omissions.
60.5415c(c)(2)	First sentence: Replace “§ 60.5416c(a) and (b)” with “§ 60.5416c” to correct an inadvertent referencing error (there are only two paragraphs in § 60.5416c (<i>i.e.</i> , the referenced (a) and (b) paragraphs)).
60.5415c(d)(1)	a. First sentence: Replace “requirements of § 60.5395c(b)(1) or (3), you must continuously comply with the closed vent requirements of § 60.5416c(a) and (b)” with “requirements of § 60.5395c(b)(2) or (3), you must continuously comply with the closed vent system requirements of § 60.5416c” to correct an inadvertent referencing error (there are only two paragraphs in § 60.5416c (<i>i.e.</i> , the referenced (a) and (b) paragraphs)), and to correct an inadvertent cross-reference error; and b. Last sentence: Replace “requirements in paragraph (d) of this section” with “requirements in paragraph (e) of this section” to correct an inadvertent cross-reference error.
60.5415c(d)(2)	Replace “§ 60.5420c(b)(1), and (9) through (12)” with “§ 60.5420c(b)(1) and (9) and (b)(10)(i) through (iv)” to correct inadvertent cross-reference errors.
60.5415c(d)(3)	Replace “§ 60.5420c(c)(14),” with “§ 60.5420c(c)(7), (9), (11), and (14),” to correct inadvertent cross-reference omissions.
60.5415c(e) introductory text	Replace “from either paragraph (a), (b), (c)(2), (d)(1), (f), (g)(2)(iv), (h) or (i) of this section” with “from paragraphs (a), (b), (c)(2), (d)(1), (f)(2), (g)(2), (h)(5)(ii)(B), or (i)(12) of this section” to correct inadvertent cross-reference errors.
60.5415c(e)(1)(ix)(D)(1)	First sentence: Replace “§ 60.5387c(a)” with “§ 60.5387c” to correct an inadvertent cross-reference error.
60.5415c(e)(1)(ix)(D)(2)	First sentence: Replace “§ 60.5387c(a)” with “§ 60.5387c” to correct an inadvertent cross-reference error.
60.5415c(f) introductory text	Revised to correct inadvertent cross-reference errors/omissions.
60.5415c(f)(1)	Replace “§ 60.5393c(b)” with “§ 60.5393c(b) or (c)” to correct an inadvertent cross-reference omission.
60.5415c(f)(6)	Replace “§ 60.5420c(c)(4), (7), (9), and (11),” with “§ 60.5420c(c)(4), (7) through (9), and (11),” to correct inadvertent cross-reference omissions.
60.5415c(g)(2)	Replace “paragraph (f)” with “paragraph (e)” to correct an inadvertent cross-reference error.
60.5415c(g)(4)	Replace “§ 60.5420c(c)(5)” with “§ 60.5420c(c)(5), (7), (9), and (11),” to correct inadvertent cross-reference omissions.
60.5415c(h)(3)	Replace “§ 60.5396c(c)(1), by complying with paragraphs (h)(6) and (7), and (h)(9) and (10) of this section” with “§ 60.5396c(c)(1) or (2), by complying with paragraphs (h)(6), (7), (9) and (10) of this section” to correct inadvertent cross-reference error/omission and to conform paragraph referencing for purposes of format consistency.
60.5415c(h)(4)	Replace “§ 60.5396c(c)(1) by” with “§ 60.5396c(c)(3) and (4) by” to correct inadvertent cross-reference error/omissions.
60.5415c(h)(9)	Replace “§ 60.5420c(b)(1) and (7)” with “§ 60.5420c(b)(1) and (7) and (b)(10)(i) through (iv)” to correct inadvertent cross-reference omissions.
60.5415c(i) introductory text	a. First sentence after title: Replace “paragraphs (i)(1) through (4) and (11) through (16) of this section” with “paragraphs (i)(1) through (4) and (11) through (15) of this section” to correct an inadvertent cross-reference error; and b. Last sentence: Replace “paragraphs (i)(5) through (16) of this section” with “paragraphs (i)(5) through (15) of this section” to correct an inadvertent cross-reference error.
60.5415c(i)(12)	Replace “paragraph (f) of this section” with “paragraph (e) of this section” to correct an inadvertent cross-reference error.
60.5415c(i)(13)	Replace “§ 60.5400c(h) or § 60.5400c(i)” with “§ 60.5400c(h) or § 60.5401c(i)” to correct an inadvertent cross-reference error.
60.5415c(i)(14)	Replace “§ 60.5420b(b)(10)(i)” with “§ 60.5420c(b)(10)(i)” to correct an inadvertent typographical error.
60.5415c(j)(4)	Replace “§ 60.5420c(c)(15)” with “§ 60.5420c(c)(13)” to correct an inadvertent cross-reference error.
60.5416c(a) introductory text	Replace “except as provided in paragraphs (b)(6) and (7) of this section” with “except as provided in paragraphs (b)(7) and (8) of this section” to correct inadvertent cross-reference errors.
60.5416c(a)(3)(iii)	Replace “§ 60.5397b(g)” with “§ 60.5397c(g)” to correct an inadvertent typographical error.
60.5417c(a)	Replace “§ 60.5393c(b)(1) for your pumps designated facility” with “§ 60.5395c(b)(1) for your pumps designated facility” to correct an inadvertent cross-reference error.
60.5417c(d)(8) introductory text	Amend first sentence to correct inadvertent punctuation errors (commas are added after “enclosed combustion device” and after the first “of this section”).

TABLE 4—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOc—Continued

Section and paragraph	Technical correction and reason for change
60.5417c(d)(8)(iii) introductory text	Replace “operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C)(1),” with “operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C),” to correct an inadvertent cross-reference error.
60.5417c(d)(8)(iii)(B)	Replace “60.5415c(e)(1)(vii)(B) or (C)(1), or paragraph (d)(8)(iii) of this section” with “60.5415c(e)(1)(vii)(B) or (C), or this paragraph (d)(8)(iii)” to correct an inadvertent cross-reference error.
60.5417c(d)(8)(iii)(C)	Replace “§ 60.5415c(e)(1)(vii)(B) or (C)(1), or paragraph (d)(8)(iii) of this section” with “§ 60.5415c(e)(1)(vii)(B) or (C), or this paragraph (d)(8)(iii)” to correct an inadvertent cross-reference error.
60.5417c(d)(8)(iii)(E)	Replace “applicable operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C)(1), or paragraph (d)(8)(iii) of this section” with “applicable operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C), or this paragraph (d)(8)(iii)” to correct an inadvertent cross-reference error.
60.5417c(d)(8)(iii)(G)	Last sentence: Replace “operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C)(1), or paragraph (d)(8)(iii) of this section” with “operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C), or this paragraph (d)(8)(iii)” to correct an inadvertent cross-reference error.
60.5420c(a) introductory text	Last sentence: Replace “paragraph (a)(4) of this section” with “paragraph (a)(3) of this section” to correct an inadvertent cross-reference error.
60.5420c(a)(3) introductory text	Replace “paragraph (a)(4)(i) and (ii)” with “paragraph (a)(3)(i) and (ii)” to correct an inadvertent cross-reference error.
60.5420c(b)(3)(i)(B) introductory text.	Replace “in accordance with § 60.5377c(c)” with “in accordance with § 60.5391c(c).” to correct an inadvertent cross-reference error and to correct a punctuation error (added a period).
60.5420c(b)(3)(i)(B)(1)	Replace “§ 60.5377c(1), (2), (3), or (4)” with “§ 60.5391c(1), (2), (3), or (4)” to correct an inadvertent cross-reference error.
60.5420c(b)(3)(ii)(A)	Replace “The reason in § 60.5377c(d)(1), (2), or (3) for each incident” with “The reason in § 60.5391c(d)(1), (2), or (3) for each incident” to correct an inadvertent cross-reference error.
60.5420c(b)(3)(iii)(C)	Replace “in accordance with paragraph (c)(3)(ii) of this section” with “in accordance with paragraph (b)(3)(ii) of this section” to correct an inadvertent cross-reference error.
60.5420c(b)(3)(iii)(E)	a. Replace “complies with the requirements of § 60.5391c(c)” with “complies with the requirements of § 60.5391c(b)” to correct an inadvertent cross-reference error; and b. In two places, replace “§ 60.5377c” with “§ 60.5391c” to correct inadvertent cross-reference errors.
60.5420c(b)(3)(v)	Replace “specified in paragraph (c)(2)(iii) of this section” with “specified in paragraph (c)(2)(vi) of this section” to correct an inadvertent cross-reference error.
60.5420c(b)(4) introductory text	Revised introductory text to correct an inadvertent cross-reference error and to simplify the referencing of reporting requirements that apply to all centrifugal compressors.
60.5420c(b)(5)(iv)	Replace “If complying with § 60.5393c(d)” with “If complying with § 60.5393c(d)(1) or (2)” to correct an inadvertent cross-reference error.
60.5420c(b)(6)(ii)(B)	Replace “§ 60.5394c(a)(1)” with “§ 60.5394c(a)(2)” to correct an inadvertent cross-reference error.
60.5420c(b)(6)(v)	Replace “specified in (b)(10)(i) through (iii) of this section” with “specified in (b)(10)(i) through (iv) of this section” to correct an inadvertent cross-reference error.
60.5420c(b)(8)(i)(F)	Replace “paragraph (a)(5)” with “paragraph (a)(3)” to correct an inadvertent cross-reference error.
60.5420c(b)(8)(ii)(C)	Replace “§ 60.5397c(1), (2), and (7), (c)(8)(i), or (d)” with “§ 60.5397c(1), (2), (7), and (8) or (d)” to correct an inadvertent cross-reference error.
60.5420c(b)(9)(v)(B)	Replace “§ 60.5395c(b)(1) or (3), as applicable, by” with “§ 60.5395c(b)(1) or (3), as applicable, by” to correct a typographical punctuation error (changed “,” to a “.”).
60.5420c(b)(9)(vi)	Replace “paragraphs (b)(11)(i) through (iv) of this section” with “paragraphs (b)(10)(i) through (iv) of this section” to correct an inadvertent cross-reference error.
60.5420c(b)(9)(vii)	Replace “paragraph (b)(11) of this section” with “paragraph (b)(10) of this section” to correct an inadvertent cross-reference error.
60.5420c(b)(10)(v)(L)	In two places, replace “§ 60.5415c(e)(x)” with “§ 60.5415c(e)(1)(x)” to correct inadvertent cross-reference errors.
60.5420c(b)(10)(v)(P)	Replace “paragraphs (b)(11)(v)(N) or (O) of this section” with “paragraph (b)(10)(v)(N) or (O) of this section” to correct an inadvertent cross-reference error.
60.5420c(c)(1)(i)(A)	Replace “§ 60.5376c(a)(1)” with “§ 60.5390c(a)(1)” to correct an inadvertent cross-reference error.
60.5420c(c)(1)(ii)(C)	Replace “best management practice plan step taken minimize emissions” with “best management practice plan step taken to minimize emissions” to correct a typographical omission of “to”.
60.5420c(c)(2)(i)(B) introductory text.	Replace “§ 60.5377c(c)” with “§ 60.5391c(c)” to correct an inadvertent cross-reference error.
60.5420c(c)(2)(i)(B)(1)	Replace “§ 60.5377c(1), (2), (3), or (4)” with “§ 60.5391c(1), (2), (3), or (4)” to correct an inadvertent cross-reference error.
60.5420c(c)(2)(ii) introductory text ..	Replace “§ 60.5377c(d)” with “§ 60.5391c(d)” to correct an inadvertent cross-reference error.
60.5420c(c)(2)(iv)	In two places, replace “§ 60.5377c” with “§ 60.5391c” to correct inadvertent cross-reference errors.
60.5420c(c)(2)(v)(B)	Replace “§ 60.5392c” with “§ 60.5391c” to correct an inadvertent cross-reference error.
60.5420c(c)(3)(ii) introductory text ..	a. First sentence: Replace “paragraphs (c)(3)(ii)(A) through (F)” with “paragraphs (c)(3)(ii)(A) through (E)” to correct an inadvertent cross-reference error; and b. Last sentence: Replace “paragraphs (c)(3)(ii)(C) through (E)” with “paragraphs (c)(3)(ii)(B) through (E)” to correct an inadvertent cross-reference error.
60.5420c(c)(3)(ii)(A)	Replace “emission reduction standard in with a control device,” with “emission reduction standard in § 60.5392c(a)(3) and (4) with a control device,” to correct inadvertent cross-reference omissions.
60.5420c(c)(3)(iii)(C)	Replace “paragraphs (c)(3)(iii)(C)(1) through (7)” with “paragraphs (c)(3)(iii)(C)(1) through (6)” to correct an inadvertent cross-reference error.
60.5420c(c)(4) introductory text	Replace “paragraphs (c)(4)(i) through (vi), and (7), (9) and (11) of this section” with “paragraphs (c)(4)(i) through (x) and (c)(7) through (12) of this section” to correct inadvertent cross-reference errors/omissions.

TABLE 4—CROSS-REFERENCE, PARAGRAPH DESIGNATION, AND TYPOGRAPHICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOc—Continued

Section and paragraph	Technical correction and reason for change
60.5420c(c)(4)(ii)	Add “, where applicable” at the end of the sentence to correct an inadvertent omission to clarify that requirements apply conditionally.
60.5420c(c)(5)(ii)(A) introductory text.	Replace “§ 60.5390c(a)” with “§ 60.5394c(a)” to correct an inadvertent cross-reference error.
60.5420c(c)(6)(ii)	Replace “§ 60.5396c(e)” with “§ 60.5386c(e)” to correct an inadvertent cross-reference error.
60.5420c(c)(10) introductory text	a. Replace “§ 60.5395c(b)(1) for your pump designated facility” with “§ 60.5395c(b)(3) for your pump designated facility” to correct an inadvertent cross-reference error; and b. Replace “§ 60.5390c(f) for well designated facility gas well liquids unloading” with “§ 60.5390c(g) for well designated facility gas well liquids unloading” to correct an inadvertent cross-reference error.
60.5420c(c)(10)(v)	In two places, replace “§ 60.5415c(e)(x)” with “§ 60.5415c(e)(1)(x)” to correct inadvertent cross-referencing errors.
60.5420c(c)(14) introductory text	Replace “paragraphs (c)(14)(i) through (viii) of this section” with “paragraphs (c)(14)(i) through (ix) of this section, as applicable” to correct an inadvertent cross-reference omission.
60.5420c(d) introductory text	Replace “paragraphs (g)(1) and (2)” with “paragraphs (d)(1) and (2)” to correct an inadvertent cross-reference error.
60.5421c introductory text	Replace “(b)(1) through (16)” with “(b)(1) through (17)” to correct an inadvertent cross-reference error.
60.5421c(b) introductory text	Replace “paragraphs (b)(1) through (16)” with “paragraphs (b)(1) through (17)” to correct an inadvertent cross-reference error.
60.5424c(e)(6)	Replace “§ 60.5398c(c)(1)(ii)(D)” with “§ 60.5398c(c)(1)(iv)(D)” to correct an inadvertent cross-reference error.
60.5430c, “Initial calibration value” definition.	Replace “§ 60.5403c” with “§ 60.5406c” to correct an inadvertent cross-reference error.
60.5430c, “Repaired” definition	Subparagraph (2) of definition: a. Replace “60.5400c(b) and (b)(1)” with “60.5400c(b) introductory text” to correct an inadvertent cross-reference error; and b. Replace “§ 60.5403c” with “§ 60.5406c” to correct an inadvertent cross-reference error.
60.5430c, “Storage vessel” definition.	Subparagraph (1) of definition, second sentence: Replace “§ 60.5420b(c)(4)(iv)” with “§ 60.5420b(c)(6)(v)” to correct an inadvertent cross-reference error.
Table 1 to Subpart OOOOc, Designated Facility Entries.	Replace “Process Controller”, “Pump” and “Super Emitter Emissions Events” with “Process Controllers”, “Pumps” and “Super Emitter Events” to correct typographical errors.
Table 1 to Subpart OOOOc, Model Rule Presumptive Standards Section Entry for “Process Unit Equipment”.	Replace entry “c. Process unit equipment requirement exceptions—§ 60.5401c” with “c. Process unit equipment requirement exceptions—§ 60.5402c” to correct an inadvertent cross-reference error.

2. Clarifying Technical Corrections

This action also makes technical corrections to clarify language in the regulatory text of EG OOOOc that was erroneously included (or in some cases, erroneously omitted). Table 5

(Clarifying Technical Corrections to 40 CFR part 60, subpart OOOOc) includes the sections and paragraphs of the identified errors, the corrections being made, and the reasoning for the corrections. For the same reasons explained in Section II.C.2 discussing

such corrections for NSPS OOOOb, the EPA finds good cause to make these clarifying technical corrections to the regulatory text of EG OOOOc, without prior notice and comment, as these procedures are unnecessary, in accordance with APA section 553(b)(B).

TABLE 5—CLARIFYING TECHNICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOc

Section and paragraph	Clarifying technical correction and reason for change
60.5392c(a) introductory text	Revise the first to eliminate redundancy (dry seal compressor requirements included in above changes). See 89 FR 16892 to 16894 for the Final Rule preamble summary of centrifugal compressor requirements. These changes are consistent with the Final Rule preamble discussion.
60.5398c(b)(5)(ii)(A)	Correcting for an inadvertent omission and to clearly state the required monitoring survey methods. See 89 FR 16874 periodic screening Final Rule preamble discussion. This correction is consistent with the Final Rule preamble discussion.
60.5398c(b)(5)(iii)(A)	Replace “You must conduct a monitoring survey of all your fugitive emissions components located within a 4-meter radius of the location of the periodic screening’s confirmed detection” with “You must conduct a monitoring survey of all the fugitive emissions components located within a 4-meter radius of the location of the periodic screening’s confirmed detection using either OGI or EPA Method 21 to appendix A–7 of this part” to correct an inadvertent omission and to clearly state the required monitoring survey methods. See 89 FR 16874 periodic screening Final Rule preamble discussion. This correction is consistent with the Final Rule preamble discussion.
60.5398c(b)(5)(iv)(A)	Replace “You must conduct a monitoring survey of the all the fugitive emissions components located within a 1-meter radius of the location of the periodic screening’s confirmed detection” with “You must conduct a monitoring survey of all the fugitive emissions components located within a 1-meter radius of the location of the periodic screening’s confirmed detection using either OGI or EPA Method 21 to appendix A–7 of this part” to correct an inadvertent omission and to clearly state the required monitoring survey methods. See 89 FR 16874 periodic screening Final Rule preamble discussion. This correction is consistent with the Final Rule preamble discussion.

TABLE 5—CLARIFYING TECHNICAL CORRECTIONS TO 40 CFR PART 60, SUBPART OOOOc—Continued

Section and paragraph	Clarifying technical correction and reason for change
60.5410c(c)(2)	Replace “§ 60.5411c(a) and (c)” with “§ 60.5411c(a) and (c) and is routed to a control device or process” to correct an inadvertent omission to clarify that emissions are routed to a control device or process. This change is also consistent with paragraph (a)(5) of § 60.5392c of the Final Rule. See 89 FR 17150 for regulatory text.
60.5410c(d)(2)	Replace “rod packing emissions collection system as required” with “rod packing emissions collection system to a process as required” to correct an inadvertent omission to clarify that emissions from the rod packing emissions collection system are routed to a process. This change is also consistent with paragraph (d)(1) of § 60.5393c of the Final Rule. See 89 FR 17151 for regulatory text.
60.5410c(f) introductory text	Replace “you must perform the applicable compliance demonstrations” with “you must also perform the applicable compliance demonstrations” to correct an inadvertent omission to emphasize that performing applicable compliance demonstrations is “also” required when there is a change in compliance methods. This change does not change the requirements but adds emphasis that this is an additional requirement when changing compliance methods.
60.5410c(g) introductory text	Second sentence: Replace “meet the exemption” with “meet and comply with the exemption” to correct an inadvertent omission. This change does not change requirements and is consistent with the phrasing “meet and comply with the exception” in the same sentence of this paragraph. See 89 FR 17172 for regulatory text.
60.5410c(g)(14)	Replace “§ 60.5422c and the annual reports in § 60.5420c(b)(10)(i) through (iv), as applicable” with “§ 60.5422c” to reduce redundancy. The reporting requirements included in § 60.5420c(b)(10) are already cited in paragraph (b)(11)(vi) of § 60.5420c. See 89 FR 17172 for regulatory text.
60.5415c(c) introductory text	Second sentence: Replace “for each wet seal and dry seal centrifugal compressor designated facility complying with § 60.5392c(a)(3) and (a)(4) or” with “for each centrifugal compressor designated facility complying with § 60.5392c(a)(3) and either (a)(4) or” to correct an inadvertent technical error. See 89 FR 16892 to 16894 for a Final Rule preamble discussion of centrifugal compressor requirements. These changes are consistent with the Final Rule preamble discussion. Paragraph (a)(4) specifies requirements when routing emissions to a control device is used to meet the standard, and paragraph (a)(5) specifies requirements when routing emissions to a process is used to meet the standard. See 89 FR 17150 for relevant § 60.5392 regulatory text.
60.5417c introductory text	Replace “reciprocating compressor, process controller, storage vessel,” with “reciprocating compressor, process controller, pump, storage vessel,” to correct an inadvertent omission. This change corrects the inadvertent omission of the listing of “pump” designated facilities. Pump designated facilities, as with the other listed designated facilities are also required to demonstrate continuous compliance for each control device used to meet emission standards. See 89 FR 16883 to 16885 of the Final Rule preamble for the preamble discussion of the Final Rule requirements for pumps, which includes an option to route emissions to a control device.
60.5420c(b)(10) introductory text	Last sentence: Replace “For each centrifugal compressor and storage vessel” with “For each centrifugal compressor, reciprocating compressor, and storage vessel” to correct an inadvertent omission to clarify that requirements also apply to reciprocating compressors equipped with a cover. This change is consistent with § 60.5411c introductory text and paragraph (b) of § 60.5411c of the Final Rule. See 89 FR 17173 for the Final Rule § 60.5411c regulatory text. See also, the Final Rule preamble discussion on the requirements for reciprocating compressors when routing emissions from the rod packing to a process or to a control device that reduces emissions by 95 percent at 89 FR 16896.
Table 4 to Subpart OOOOc of Part 60—Applicability of General Provisions to Subpart OOOOc; General provisions citation § 60.8.	Amend second sentence of “Explanation” column by replacing “Performance testing is required for control devices used on storage vessels, centrifugal compressors, and pumps, except that performance testing is not required for a control device used solely on pump(s).” with “Performance testing is required for control devices used on wells, storage vessels, centrifugal compressors, reciprocating compressors, process controllers, and pumps, as applicable, except that performance testing is not required for a control device used solely on pump(s).” These changes correct the inadvertent omission of the listing of some designated facilities where the Final Rule includes control device performance testing requirements to comply and to clarify that the performance test requirements apply conditionally (<i>i.e.</i> , performance test requirements would not apply where a designated facility complies with the Final Rule by meeting a compliance option that does not require control device performance testing).

The EPA finds good cause to make these technical corrections and clarifications to NSPS OOOOc, identified above in Tables 4 and 5, without prior notice or comment, as these procedures are unnecessary, in accordance with APA section 553(b)(B).

A red line and strike-out version of the corrected regulatory language for NSPS OOOOc is available in Docket ID No. EPA-HQ-OAR-2021-0317.

III. Summary of Cost, Environmental, and Economic Impacts

The technical corrections included in this action do not alter the substantive requirements of the final rule, and will therefore have no cost, environmental, energy, or economic impacts beyond those already presented in the March 8, 2024, Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review final rule (89 FR 16820) and the accompanying Regulatory Impact Analysis.

IV. Rulemaking Procedures

As noted in section I.C., the EPA’s authority for the rulemaking procedures followed in this action is provided by APA section 553.⁶ In general, an agency issuing a rule under the procedures in APA section 553 must provide prior notice and an opportunity for public

⁶ Although the procedural requirements of CAA section 307(d) apply to the EPA’s promulgation or revision of any standard of performance under CAA section 111, these procedural requirements do not apply “in the case of any rule or circumstance referred to in subparagraphs (A) or (B) of [APA section 553(b)].” CAA section 307(d)(1).

comment, but APA section 553(b)(B) includes an exemption from notice-and-comment requirements “when the Agency for good cause finds (and incorporates the finding and a brief statement of reasons, therefore, in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.” The EPA has determined that there is good cause to forego prior notice-and-comment procedures here because such procedures are unnecessary. The EPA is making only minor, non-substantive technical corrections and clarifications in this action; providing the public with prior notice and the opportunity for comment is unnecessary because these corrections do not change any substantive requirement of the final rule.

This action is effective immediately upon publication. Section 553(d)(3) of the APA requires publication of a final rule to precede the effective date by at least 30 days unless, as relevant here, the Agency finds good cause to make the rule effective sooner. The Agency finds that there is good cause to make the rule effective immediately upon publication under APA section 553(d)(3). See *Omnipoint Corp. v. Fed. Comm’n Comm’n*, 78 F.3d 620, 630 (D.C. Cir. 1996) (in determining whether good cause exists to make a rule immediately effective, an agency should “balance the necessity for immediate implementation against principles of fundamental fairness which require that all affected persons be afforded a reasonable amount of time to prepare for the effective date of its ruling”). This action addresses erroneous language (and in some cases, erroneous omissions) in the regulatory text of the final rule which, if not corrected, will lead to compliance difficulties and confusion among the regulated community about how to comply with the final rule. As the final rule is already in effect, it is critical to ensure that the regulated community and the public can rely on regulatory text that is accurate and complete. Moreover, because this action does not impose any new requirements, the regulated community does not need time to prepare for this interim final rule to come into effect.

V. Request for Comment

As explained in section IV of this document, the EPA finds good cause to issue this interim final rule without prior notice or opportunity for public comment. However, the EPA is providing an opportunity for the public to comment on the content of the technical corrections to the regulatory text being made by this action and, thus,

requests comment on the revisions described herein. The EPA is not reopening for comment any provisions of the March 2024 final rule other than the specific corrections made in this interim final rule.

VI. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review, as Amended by Executive Order 14094: Modernizing Regulatory Review

This action is not a significant regulatory action as defined in Executive Order 12866, as amended by Executive Order 14094, and was therefore not subject to a requirement for Executive Order 12866 review.

B. Paperwork Reduction Act (PRA)

This action does not impose any new information collection burden under the PRA. The information collection activities for NSPS OOOOa, NSPS OOOOb, EG OOOOc have been submitted for approval to the Office of Management and Budget (OMB) under the PRA. The ICR document that the EPA prepared has been assigned OMB Control No. 2060–0721 and EPA ICR number 2523.07. The final rule ICR has been submitted to OMB as of May 1, 2024, and is awaiting approval. You can find a copy of the previously submitted ICR in EPA–HQ–OAR–2021–0317.

This action does not change the information collection requirements.

C. Regulatory Flexibility Act (RFA)

This action is not subject to the RFA. The RFA applies only to rules subject to notice and comment rulemaking requirements under the Administrative Procedure Act (APA), 5 U.S.C. 553, or any other statute. This rule is not subject to notice and comment requirements because the Agency has invoked the APA “good cause” exemption under 5 U.S.C. 553(b).

D. Unfunded Mandates Reform Act of 1995 (UMRA)

This action does not contain an unfunded mandate of \$100 million or more as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local or tribal governments or the private sector. This action corrects unintended errors in the March 2024 final rule.

E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

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

This action does not have Tribal implications as specified in Executive Order 13175. This action will implement corrections and clarifications to regulatory text applicable directly to the regulated industry that needed clarification or that were erroneously included in the final rule. Thus, Executive Order 13175 does not apply to this action.

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

Executive Order 13045 directs federal agencies to include an evaluation of the health and safety effects of the planned regulation on children in Federal health and safety standards and explain why the regulation is preferable to potentially effective and reasonably feasible alternatives. This action is not subject to Executive Order 13045 because it is not a significant regulatory action under section 3(f)(1) of Executive Order 12866, and because the EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children. The EPA does not believe there are disproportionate risks to children because of this action since it will not result in any changes to the control of air pollutants.

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

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

I. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51

This action does not involve technical standards; therefore, the NTTAA does not apply.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing our Nation's Commitment to Environmental Justice for All

The EPA believes that this action does not concern human health or environmental conditions and, therefore, cannot be evaluated with respect to potentially disproportionate and adverse effects on communities with environmental justice concerns.

K. Congressional Review Act (CRA)

This action is subject to the CRA, 5 U.S.C. 801–808, and the EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. The CRA allows the issuing agency to make a rule effective sooner than otherwise provided by the CRA if the agency makes a good cause finding that notice and comment rulemaking procedures are impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 808(2)). The EPA has made a good cause

finding for this action as discussed in section IV of this document, including the basis for that finding.

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practices and procedures, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Michael S. Regan,
Administrator.

For the reasons set forth in the preamble, the EPA corrects 40 CFR part 60 as follows:

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

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

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

Subpart OOOOa—Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015 and on or Before December 6, 2022

- 2. Amend § 60.5430a by revising the definition for “Equipment” to read as follows:

§ 60.5430a What definitions apply to this subpart?

* * * * *

Equipment, as used in the standards and requirements in this subpart relative to the equipment leaks of GHG (in the form of methane) and VOC from onshore natural gas processing plants, means each pump, pressure relief device, open-ended valve or line, valve, and flange or other connector that is in VOC service or in wet gas service, and any device or system required by those same standards and requirements in this subpart.

* * * * *

- 3. Revise table 1 to subpart OOOOa to read as follows:

TABLE 1 TO SUBPART OOOOa OF PART 60—REQUIRED MINIMUM INITIAL SO₂ EMISSION REDUCTION EFFICIENCY (Z_i)

H ₂ S content of acid gas (Y), (%)	Sulfur feed rate (X), LT/D			
	2.0 ≤ X ≤ 5.0	5.0 < X ≤ 15.0	15.0 < X ≤ 300.0	X > 300.0
Y ≥ 50	79.0	88.51X ^{0.0101} Y ^{0.0125} or 99.9, whichever is smaller.		
20 ≤ Y < 50	79.0	88.51X ^{0.0101} Y ^{0.0125} or 97.9, whichever is smaller		
10 ≤ Y < 20	79.0	88.51X ^{0.0101} Y ^{0.0125} or 93.5, whichever is smaller	93.5	93.5
Y < 10	79.0	79.0	79.0	79.0

- 4. Revise table 2 to subpart OOOOa to read as follows:

TABLE 2 TO SUBPART OOOOa OF PART 60—REQUIRED MINIMUM SO₂ EMISSION REDUCTION EFFICIENCY (Z_c)

H ₂ S content of acid gas (Y), (%)	Sulfur feed rate (X), LT/D			
	2.0 ≤ X ≤ 5.0	5.0 < X ≤ 15.0	15.0 < X ≤ 300.0	X > 300.0
Y ≥ 50	74.0	85.35X ^{0.0144} Y ^{0.0128} or 99.9, whichever is smaller.		
20 ≤ Y < 50	74.0	85.35X ^{0.0144} Y ^{0.0128} or 97.5, whichever is smaller		
10 ≤ Y < 20	74.0	85.35X ^{0.0144} Y ^{0.0128} or 90.8, whichever is smaller	90.8	90.8
Y < 10	74.0	74.0	74.0	74.0

* * * * *

Subpart OOOOb—Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022

- 5. Amend § 60.5365b by revising and republishing paragraphs (e), (g), (h), and (i) to read as follows:

§ 60.5365b Am I subject to this subpart?

* * * * *

(e) Each storage vessel affected facility, which is a tank battery that has the potential for emissions as specified in either paragraph (e)(1)(i) or (ii) of this section. A tank battery with the potential for emissions below both of the thresholds specified in paragraphs

(e)(1)(i) and (ii) of this section is not a storage vessel affected facility provided the owner/operator keeps records of the potential for emissions calculation for the life of the storage vessel or until such time the tank battery becomes a storage vessel affected facility because the potential for emissions meets or exceeds either threshold specified in either paragraph (e)(1)(i) or (ii) of this section.

(1)(i) Potential for VOC emissions equal to or greater than 6 tons per year (tpy) as determined in paragraph (e)(2) of this section.

(ii) Potential for methane emissions equal to or greater than 20 tpy as determined in paragraph (e)(2) of this section.

(2) The potential for VOC and methane emissions must be calculated as the cumulative emissions from all storage vessels within the tank battery as specified by the applicable requirements in paragraphs (e)(2)(i) through (iii) of this section. The determination may take into account requirements under a legally and practicably enforceable limit in an operating permit or other requirement established under a Federal, state, local, or Tribal authority.

(i) For purposes of determining the applicability of a storage vessel tank battery as an affected facility, a legally and practicably enforceable limit must include the elements provided in paragraphs (e)(2)(i)(A) through (F) of this section.

(A) A quantitative production limit and quantitative operational limit(s) for the equipment, or quantitative operational limits for the equipment;

(B) An averaging time period for the production limit in (e)(2)(i)(A) of this section, if a production-based limit is used, that is equal to or less than 30 days;

(C) Established parametric limits for the production and/or operational limit(s) in paragraph (e)(2)(i)(A) of this section, and where a control device is used to achieve an operational limit, an initial compliance demonstration (*i.e.*, performance test) for the control device that establishes the parametric limits;

(D) Ongoing monitoring of the parametric limits in (e)(2)(i)(C) of this section that demonstrates continuous compliance with the production and/or operational limit(s) in (e)(2)(i)(A) of this section;

(E) Recordkeeping by the owner or operator that demonstrates continuous compliance with the limit(s) in (e)(2)(i)(A) through (D) of this section; and

(F) Periodic reporting that demonstrates continuous compliance.

(ii) For each tank battery located at a well site or centralized production facility, you must determine the potential for VOC and methane emissions within 30 days after startup of production, or within 30 days after an action specified in paragraphs (e)(3)(i) and (ii) of this section, except as provided in paragraph (e)(5)(iv) of this section. The potential for VOC and methane emissions must be calculated using a generally accepted model or calculation methodology that accounts for flashing, working, and breathing losses, based on the maximum average daily throughput to the tank battery determined for a 30-day period of production.

(iii) For each tank battery not located at a well site or centralized production facility, including each tank battery located at a compressor station or onshore natural gas processing plant, you must determine the potential for VOC and methane emissions prior to startup of the compressor station, onshore natural gas processing plant, or other facility within 30 days after an action specified in paragraphs (e)(3)(i) and (ii) of this section, using either method described in paragraph (e)(2)(iii)(A) or (B) of this section.

(A) Determine the potential for VOC and methane emissions using a generally accepted model or calculation methodology that accounts for flashing, working and breathing losses and based on the throughput to the tank battery established in a legally and practicably enforceable limit in an operating permit or other requirement established under a Federal, state, local, or Tribal authority; or

(B) Determine the potential for VOC and methane emissions using a generally accepted model or calculation methodology that accounts for flashing, working and breathing losses and based on projected maximum average daily throughput. Maximum average daily throughput is determined using a generally accepted engineering model (*e.g.*, volumetric condensate rates from the tank battery based on the maximum gas throughput capacity of each producing facility) to project the maximum average daily throughput for the tank battery.

(3) For the purposes of § 60.5395b, the following definitions of “reconstruction” and “modification” apply for determining when an existing tank battery becomes a storage vessel affected facility under this subpart.

(i) “Reconstruction” of a tank battery occurs when the potential for VOC or methane emissions to meet or exceed either of the thresholds specified in

paragraphs (e)(1)(i) or (ii) of this section and—

(A) At least half of the storage vessels are replaced in the existing tank battery that consists of more than one storage vessel; or

(B) The provisions of § 60.15 are met for the existing tank battery.

(ii) “Modification” of a tank battery occurs when any of the actions in paragraphs (e)(3)(ii)(A) through (D) of this section occurs and the potential for VOC or methane emissions meet or exceed either of the thresholds specified in paragraphs (e)(1)(i) or (ii) of this section.

(A) A storage vessel is added to an existing tank battery;

(B) One or more storage vessels are replaced such that the cumulative storage capacity of the existing tank battery increases;

(C) For tank batteries at well sites or centralized production facilities, an existing tank battery receives additional crude oil, condensate, intermediate hydrocarbons, or produced water throughput from actions, including but not limited to, the addition of operations or a production well, or changes to operations or a production well (including hydraulic fracturing or refracturing of the well).

(D) For tank batteries not located at a well site or centralized production facility, including each tank battery at compressor stations or onshore natural gas processing plants, an existing tank battery receives additional fluids which cumulatively exceed the throughput used in the most recent (*i.e.*, prior to an action in paragraphs (e)(3)(ii)(A), (B) or (D) of this section) determination of the potential for VOC or methane emissions.

(4) A storage vessel affected facility that subsequently has its potential for VOC emissions decrease to less than 6 tpy shall remain an affected facility under this subpart.

(5) For storage vessels not subject to a legally and practicably enforceable limit in an operating permit or other requirement established under Federal, state, local, or Tribal authority, any vapor from the storage vessel that is recovered and routed to a process through a vapor recovery unit designed and operated as specified in this section is not required to be included in the determination of potential for VOC or methane emissions for purposes of determining affected facility status, provided you comply with the requirements of paragraphs (e)(5)(i) through (iv) of this section.

(i) You meet the cover requirements specified in § 60.5411b(b).

(ii) You meet the closed vent system requirements specified in § 60.5411b(a)(2) through (4) and (c).

(iii) You must maintain records that document compliance with paragraphs (e)(5)(i) and (ii) of this section.

(iv) In the event of removal of apparatus that recovers and routes vapor to a process, or operation that is inconsistent with the conditions specified in paragraphs (e)(5)(i) and (ii) of this section, you must determine the storage vessel's potential for VOC emissions according to this section within 30 days of such removal or operation.

(6) The requirements of this paragraph (e)(6) apply to each storage vessel affected facility immediately upon startup, startup of production, or return to service. A storage vessel affected facility or portion of a storage vessel affected facility that is reconnected to the original source of liquids remains a storage vessel affected facility subject to the same requirements that applied before being removed from service. Any storage vessel that is used to replace a storage vessel affected facility, or portion of a storage vessel affected facility, or used to expand a storage vessel affected facility assumes the affected facility status of the storage vessel affected facility being replaced or expanded.

(7) A storage vessel with a capacity greater than 100,000 gallons used to recycle water that has been passed through two stage separation is not a storage vessel affected facility.

* * * * *

(g) Each sweetening unit affected facility as defined by paragraphs (g)(1) and (2) of this section.

(1) Each sweetening unit that processes natural gas produced from either onshore or offshore wells is an affected facility; and

(2) Each sweetening unit that processes natural gas followed by a sulfur recovery unit is an affected facility.

(3) Facilities that have a design capacity less than 2 long tons per day (LT/D) of hydrogen sulfide (H₂S) in the acid gas (expressed as sulfur) are required to comply with recordkeeping and reporting requirements specified in § 60.5423b(e) but are not required to comply with §§ 60.5405b through 60.5407b and §§ 60.5410b(i) and 60.5415b(k).

(4) Sweetening facilities producing acid gas that is completely re-injected into oil-or-gas-bearing geologic strata or that is otherwise not released to the atmosphere are not subject to §§ 60.5405b through 60.5407b, 60.5410b(i), 60.5415b(k), and 60.5423b.

(h) Each pump affected facility, which is the collection of natural gas-driven pumps at a well site, centralized production facility, onshore natural gas processing plant, or a compressor station. Pumps that are not driven by natural gas are not included in the pump affected facility.

(1) For the purposes of § 60.5393b, in addition to the definition in § 60.14, a modification occurs when the number of natural gas-driven pumps in the affected facility is increased by one or more.

(2) For the purposes of § 60.5393b, owners and operators may choose to apply reconstruction as defined in § 60.15(b) based on the fixed capital cost of the new pumps in accordance with paragraph (h)(2)(i) of this section, or the definition of reconstruction based on the number of natural gas-driven pumps in the affected facility in accordance with paragraph (h)(2)(ii) of this section. Owners and operators may choose which definition of reconstruction to apply and whether to comply with paragraph (h)(2)(i) or (ii) of this section; they do not need to apply both. If owners and operators choose to comply with paragraph (h)(2)(ii) of this section they may demonstrate compliance with § 60.15(b)(1) by showing that more than 50 percent of the number of natural gas-driven pumps is replaced. That is, if an owner or operator meets the definition of reconstruction through the "number of pumps" criterion in paragraph (h)(2)(ii) of this section, they will have shown that the "fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility," as required in § 60.15(b)(1). Therefore, an owner or operator may comply with the remaining provisions of § 60.15 that reference "fixed capital cost" through an initial showing that the number of natural gas-driven pumps replaced exceeds 50 percent. For purposes of paragraphs (h)(2)(i) and (ii) of this section, "commenced" means that an owner or operator has undertaken a continuous program of component replacement or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of natural gas-driven pump replacement.

(i) If the owner or operator applies the definition of reconstruction in § 60.15, reconstruction occurs when the fixed capital cost of the new pumps exceeds 50 percent of the fixed capital cost that would be required to replace all the natural gas-driven pumps in the affected facility. The "fixed capital cost of the

new pumps" includes the fixed capital cost of all natural gas-driven pumps which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 24-month rolling period following December 6, 2022.

(ii) If the owner or operator applies the definition of reconstruction based on the percentage of natural gas-driven pumps replaced, reconstruction occurs when greater than 50 percent of the natural gas-driven pumps in the affected facility are replaced. The percentage includes all natural gas-driven pumps which are or will be replaced pursuant to all continuous programs of component replacement which are commenced within any 24-month rolling period following December 6, 2022. If an owner or operator determines reconstruction based on the percentage of natural gas-driven pumps that are replaced, the owner or operator must comply with § 60.15(a).

(3) A natural gas-driven pump that is in operation less than 90 days per calendar year is not part of an affected facility under this subpart. For the purposes of this section, any period of operation during a calendar day counts toward the 90-calendar day threshold.

(i) Each fugitive emissions components affected facility, which is the collection of fugitive emissions components at a well site, centralized production facility, or a compressor station.

(1) For purposes of § 60.5397b and § 60.5398b, a "modification" to a well site occurs when:

(i) A new well is drilled at an existing well site;

(ii) A well at an existing well site is hydraulically fractured; or

(iii) A well at an existing well site is hydraulically refractured.

(2) For purposes of § 60.5397b and § 60.5398b, a "modification" to centralized production facility occurs when:

(i) Any of the actions in paragraphs (i)(1)(i) through (iii) of this section occurs at an existing centralized production facility;

(ii) A well sending production to an existing centralized production facility is modified, as defined in paragraphs (i)(1)(i) through (iii) of this section; or

(iii) A well site subject to the requirements of § 60.5397b or § 60.5398b removes all major production and processing equipment, such that it becomes a wellhead only well site and sends production to an existing centralized production facility.

(3) For purposes of §§ 60.5397b and 60.5398b, a “modification” to a compressor station occurs when:

- (i) An additional compressor is installed at a compressor station; or
- (ii) One or more compressors at a compressor station is replaced by one or more compressors of greater total horsepower than the compressor(s) being replaced. When one or more compressors is replaced by one or more compressors of an equal or smaller total horsepower than the compressor(s) being replaced, installation of the replacement compressor(s) does not trigger a modification of the compressor station for purposes of §§ 60.5397b and 60.5398b.

■ 6. Amend § 60.5370b by revising paragraph (a)(1) introductory text, (a)(1)(i), (a)(4), and (a)(7)(i) to read as follows:

§ 60.5370b When must I comply with this subpart?

- (a) * * *
- (1) You must comply with the requirements of § 60.5385b for your reciprocating compressor affected facility as specified in paragraph (a)(1)(i), (ii), or (iii) of this section, as applicable.
- (i) You must comply with the requirements of § 60.5385b(a)(1) on or before 8,760 hours of operation after May 7, 2024, on or before 8,760 hours of operation after last rod packing replacement, or on or before 8,760 hours of operation after startup, whichever date is later; and

(4) You must comply with the requirements of § 60.5400b or as an alternative, the requirements in § 60.5401b, for all process unit equipment affected facilities at a natural gas processing plant, as soon as practicable but no later than 180 days after the initial startup of the process unit.

* * * * *

(7) * * *

- (i) You must comply with the requirements of § 60.5380b(a)(1) and (2) or (a)(3) for your centrifugal compressor upon initial startup.

* * * * *

■ 7. Amend § 60.5371b by revising and republishing paragraphs (c)(4), (d)(2) introductory text, and (e)(1)(v) to read as follows:

§ 60.5371b What GHG and VOC standards apply to super-emitter events?

* * * * *

(c) * * *

(4) Owner(s) or operator(s) of any oil and natural gas facility (e.g., individual

well site, centralized production facility, natural gas processing plant, or compressor station) within 50 meters of the latitude and longitude coordinates of the super-emitter event, if available.

* * * * *

(d) * * *

(2) If you own or operate an oil and natural gas facility within 50 meters from the latitude and longitude provided in the notification, you must investigate to determine the source of super-emitter event. The investigation may include but is not limited to the actions specified below in paragraphs (d)(2)(i) through (v) of this section.

* * * * *

(e) * * *

(1) * * *

(v) Indication of whether you were able to identify the source of the super-emitter event. If you indicate you were unable to identify the source of the super-emitter event, you must certify that all applicable investigations specified in paragraphs (d)(2)(i) through (v) of this section have been conducted for all affected facilities and associated equipment subject to this subpart that are at this oil and natural gas facility, and you have determined that the affected facilities and associated equipment are not the source of the super-emitter event. If you indicate that you were not able to identify the source of the super-emitter event, you are not required to report the information in paragraphs (e)(1)(vi) through (viii) of this section.

* * * * *

■ 8. Amend § 60.5376b by:

- a. Revising and republishing paragraphs (a)(1) introductory text;
- b. Redesignating paragraphs (a)(1)(A) and (B) as paragraphs (a)(1)(i) and (ii); and
- c. Revising paragraph (g)(4).

The revisions read as follows:

§ 60.5376b What GHG and VOC standards apply to gas well liquids unloading operations at well affected facilities?

(a) * * *

(1) If a gas well liquids unloading operation technology or technique employed does not result in venting of methane and VOC emissions to the atmosphere, you must comply with the requirements specified in paragraphs (a)(1)(i) and (ii) and (d) and (e) of this section. If an unplanned venting event occurs, you must meet the requirements specified in paragraphs (c) through (f) of this section.

* * * * *

(g) * * *

(4) You must demonstrate continuous compliance with standards that apply to

well affected facility gas well liquids unloading as required by § 60.5415b(b).

* * * * *

■ 9. Amend § 60.5377b by revising paragraph (g)(2) to read as follows:

§ 60.5377b What GHG and VOC standards apply to associated gas wells at well affected facilities?

* * * * *

(g) * * *

(2) This demonstration must be certified by a professional engineer or another qualified individual with expertise in the uses of associated gas. The following certification, signed and dated by the qualified professional engineer or other qualified individual shall state: “I certify that the assessment of technical and safety infeasibility was prepared under my direction or supervision. I further certify that the assessment was conducted, and this report was prepared pursuant to the requirements of § 60.5377b(b). Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete.”

* * * * *

■ 10. Amend § 60.5380b by revising paragraph (a)(5) introductory text to read as follows:

§ 60.5380b What GHG and VOC standards apply to centrifugal compressor affected facilities?

* * * * *

(a) * * *

(5) If you own or operate a centrifugal compressor on the Alaska North Slope equipped with sour seal oil separator and capture system, you may comply with the GHG and VOC requirements specified in paragraphs (a)(5)(i) through (iii) of this section using volumetric flow rate as a surrogate, in lieu of meeting the requirements specified in paragraphs (a)(1) and (2) of this section. You must determine the volumetric flow rate in accordance with paragraph (a)(7)(ii) of this section.

* * * * *

■ 11. Amend § 60.5385b by revising and republishing paragraphs (a)(3) introductory text, (d)(3), and (g) to read as follows:

§ 60.5385b What GHG and VOC standards apply to reciprocating compressor affected facilities?

* * * * *

(a) * * *

(3) The rod packing must be repaired or replaced within 90 calendar days after the date of the volumetric emissions measurement that exceeded 2 scfm per cylinder. You must conduct

follow-up volumetric flow rate measurements from compressor vents using the methods specified in paragraph (b) or (c) of this section within 15 days after the repair (or rod packing replacement) to document that the rate has been reduced to less than 2 scfm per cylinder. Delay of repair will be allowed if the conditions in paragraph (a)(3)(i) or (ii) of this section are met.

* * * * *

(d) * * *

(3) As an alternative to conducting the required volumetric flow rate measurements under paragraph (a) of this section, an owner or operator can choose to comply by replacing the rod packing on or before 8,760 hours of operation after startup, on or before 8,760 hours of operation after May 7, 2024, on or before 8,760 hours of operation after the previous flow rate measurement, or on or before 8,760 hours of operation after the date of the most recent compressor rod packing replacement, whichever date is later.

* * * * *

(g) You must perform the reporting requirements as specified in § 60.5420b(b)(1), (6), and (11) through (13), as applicable; and the recordkeeping requirements as specified in § 60.5420b(c)(5) and (8) through (13), as applicable.

■ 12. Amend § 60.5386b by revising paragraphs (a)(1) introductory text and (c) introductory text to read as follows:

§ 60.5386b What test methods and procedures must I use for my centrifugal compressor and reciprocating compressor affected facilities?

* * * * *

(a) * * *

(1) *OGI instrument.* Use an OGI instrument for equipment leak detection as specified in either paragraph (a)(1)(i) or (ii) of this section. For the purposes of paragraphs (a)(1)(i) and (ii) of this section, any visible emissions observed by the OGI instrument from reciprocating rod packing or compressor dry or wet seal vent is a leak.

* * * * *

(c) You must use a high-volume sampler to measure emissions of the reciprocating compressor rod packing, applicable centrifugal compressor wet seal vent, or centrifugal compressor dry seal vent in accordance with paragraphs (c)(1) through (7) of this section.

* * * * *

■ 13. Amend § 60.5393b by revising paragraphs (b)(6)(ii) and (b)(7)(iii) to read as follows:

§ 60.5393b What GHG and VOC standards apply to pump affected facilities?

* * * * *

(b) * * *

(6) * * *

(ii) You must maintain the records in § 60.5420b(c)(15)(ii) through (iv), as applicable. You are no longer required to maintain the records in § 60.5420b(c)(15)(v) certifying that there is no vapor recovery unit or control device on site.

(7) * * *

(iii) The following certification, signed and dated by the qualified professional engineer or in-house engineer, must state: "I certify that the assessment of technical infeasibility was prepared under my direction or supervision. I further certify that the assessment was conducted and this report was prepared pursuant to the requirements of § 60.5393b(b)(7)(ii). Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete."

* * * * *

■ 14. Amend § 60.5395b by revising paragraphs (c)(1)(ii), (c)(2)(iii), and (c)(4) to read as follows:

§ 60.5395b What GHG and VOC standards apply to storage vessel affected facilities?

* * * * *

(c) * * *

(1) * * *

(ii) You must submit a notification as required in § 60.5420b(b)(8)(vii) in your next annual report, identifying each storage vessel affected facility removed from service during the reporting period and the date of its removal from service.

(2) * * *

(iii) You must submit a notification as required in § 60.5420b(b)(8)(vii) in your next annual report, identifying each storage vessel removed from service during the reporting period, the impacted storage vessel affected facility, and the date of its removal from service.

* * * * *

(4) For each storage vessel affected facility or portion of a storage vessel affected facility returned to service during the reporting period, you must submit a notification in your next annual report as required in § 60.5420b(b)(8)(viii), identifying each storage vessel affected facility or portion of a storage vessel affected facility and the date of its return to service.

* * * * *

■ 15. Amend § 60.5397b by revising paragraphs (d) introductory text and (k) to read as follows:

§ 60.5397b What GHG and VOC standards apply to fugitive emissions components affected facilities?

* * * * *

(d) *Additional elements of fugitive emissions monitoring plan.* Each fugitive emissions monitoring plan must include the elements specified in paragraphs (d)(1) and (2) of this section, at a minimum, as applicable.

* * * * *

(k) *Reporting and recordkeeping.* You must comply with the reporting requirements as specified in § 60.5420b(b)(1) and (9), and the recordkeeping requirements as specified in § 60.5420b(c)(14).

* * * * *

■ 16. Amend § 60.5398b by revising paragraphs (b)(5)(ii)(A), (b)(5)(iii)(A), (b)(5)(iv)(A), (d)(3)(iii)(A), and (d)(3)(vi) introductory text to read as follows:

§ 60.5398b What alternative GHG and VOC standards apply to fugitive emissions components affected facilities and what inspection and monitoring requirements apply to covers and closed vent systems when using an alternative technology?

* * * * *

(b) * * *

(5) * * *

(ii) * * *

(A) You must conduct a monitoring survey of all the fugitive emissions components in an affected facility using either OGI or EPA Method 21 to appendix A-7 of this part. You must follow the procedures in your monitoring plan when conducting the survey.

* * * * *

(iii) * * *

(A) You must conduct a monitoring survey of all your fugitive emissions components located within a 4-meter radius of the location of the periodic screening's confirmed detection using either OGI or EPA Method 21 to appendix A-7 of this part. You must follow the procedures in your monitoring plan when conducting the survey.

* * * * *

(iv) * * *

(A) You must conduct a monitoring survey of all the fugitive emissions components located within a 1-meter radius of the location of the periodic screening's confirmed detection using either OGI or EPA Method 21 to appendix A-7 of this part. You must follow the procedures in your monitoring plan when conducting the survey.

* * * * *

(d) * * *

(3) * * *

(iii) * * *

(A) Description of scientific theory and appropriate references outlining the underlying technology (e.g., reference material, literature review).

* * * * *

(vi) Supporting information verifying that the technology meets the aggregate detection threshold(s) defined in paragraphs (b) and/or (c) of this section or in § 60.5371b, including supporting data to demonstrate the aggregate detection threshold of the measurement technology as applied in the field and if applicable, how probability of detection is determined. For the purpose of this subpart the average aggregate detection threshold is the average of all site-level detection thresholds from a single deployment (e.g., a singular flight that surveys multiple well sites, centralized production facility, and/or compressor stations) of a technology, unless this technology is to be applied to § 60.5371b. When the technology is applied to § 60.5371b, then the aggregate detection threshold is the average of all site-level detection thresholds from a single deployment in the same basin and field. At a minimum, you must provide the information identified in paragraphs (d)(3)(vi)(A) through (D) of this section.

* * * * *

■ 17. Amend § 60.5400b by revising paragraphs (c)(1), (k), and (l) to read as follows:

§ 60.5400b What GHG and VOC standards apply to process unit equipment affected facilities?

* * * * *

(c) * * *

(1) Monitor the pump within 5 calendar days using OGI in accordance with Appendix K or the methods specified in § 60.5403b. A leak is detected if any emissions are observed using OGI or if an instrument reading of 2,000 ppmv or greater is provided using Method 21 of appendix A-7 to this part.

* * * * *

(k) *Reporting.* You must perform the reporting requirements as specified in § 60.5420b(b)(1) and (11) through (13), as applicable, and § 60.5422b.

(l) *Recordkeeping.* You must perform the recordkeeping requirements as specified in § 60.5420b(c)(8) and (10) through (13), as applicable, and § 60.5421b.

■ 18. Amend § 60.5401b by revising and republishing paragraphs (b), (c), (f), (h), (i), (l), and (m) to read as follows:

§ 60.5401b What are the alternative GHG and VOC standards for process unit equipment affected facilities?

* * * * *

(b) *Pumps in light liquid service.* You must monitor each pump in light liquid service monthly to detect leaks by the methods specified in § 60.5403b, except as provided in paragraphs (b)(2) through (6) of this section. A leak is defined as an instrument reading of 2,000 ppmv or greater. A pump that begins operation in light liquid service after the initial startup date for the process unit must be monitored for the first time within 30 days after the end of its startup period, except for a pump that replaces a leaking pump and except as provided in paragraphs (b)(2) through (6) of this section.

(1) In addition to the requirements in paragraph (b) of this section, you must conduct weekly visual inspections of all pumps in light liquid service for indications of liquids dripping from the pump seal. If there are indications of liquids dripping from the pump seal, you must follow the procedure specified in either paragraph (b)(1)(i) or (ii) of this section.

(i) Monitor the pump within 5 days using the methods specified in § 60.5403b. A leak is defined as an instrument reading of 2,000 ppmv or greater.

(ii) Designate the visual indications of liquids dripping as a leak, and repair the leak as specified in paragraph (i) of this section.

(2) Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements in paragraph (b) of this section, provided the requirements specified in paragraphs (b)(2)(i) through (v) of this section are met.

(i) Each dual mechanical seal system meets the requirements of paragraphs (b)(2)(i)(A), (B), or (C) of this section.

(A) Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or

(B) Equipped with a barrier fluid degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of paragraph (e) of this section; or

(C) Equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.

(ii) The barrier fluid system is in heavy liquid service or does not have the potential to emit methane or VOC.

(iii) Each barrier fluid system is equipped with a sensor that will detect

failure of the seal system, the barrier fluid system, or both.

(iv) Each pump is checked according to the requirements in paragraph (b)(1) of this section.

(v) Each sensor meets the requirements in paragraphs (b)(2)(v)(A) through (C) of this section.

(A) Each sensor as described in paragraph (b)(2)(iii) of this section is checked daily or is equipped with an audible alarm.

(B) You determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.

(C) If the sensor indicates failure of the seal system, the barrier fluid system, or both, based on the criterion established in paragraph (b)(2)(v)(B) of this section, a leak is detected.

(3) Any pump that is designated, as described in § 60.5421b(b)(12), for no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, is exempt from the requirements of paragraphs (b) introductory text, (b)(1), and (2) of this section if the pump:

(i) Has no externally actuated shaft penetrating the pump housing;

(ii) Is demonstrated to be operating with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background as measured by the methods specified in § 60.5403b; and

(iii) Is tested for compliance with paragraph (b)(3)(ii) of this section initially upon designation, annually, and at other times requested by the Administrator.

(4) If any pump is equipped with a closed vent system capable of capturing and transporting any leakage from the seal or seals to a process, fuel gas system, or a control device that complies with the requirements of paragraph (e) of this section, it is exempt from paragraphs (b), (b)(1) through (3) of this section, and the repair requirements of paragraph (i) of this section.

(5) Any pump that is designated, as described in § 60.5421b(b)(13), as an unsafe-to-monitor pump is exempt from the inspection and monitoring requirements of paragraphs (b) introductory text, (b)(1), and (b)(2)(iv) and (v) of this section if the conditions in paragraphs (b)(5)(i) and (ii) of this section are met.

(i) You demonstrate that the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (b) of this section; and

(ii) You have a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and you repair the equipment according to the procedures in paragraph (i) of this section if a leak is detected.

(6) Any pump that is located within the boundary of an unmanned plant site is exempt from the weekly visual inspection requirements in paragraph (b)(1) and (b)(2)(iv) of this section, and the daily requirements of paragraph (b)(2)(v) of this section, provided that each pump is visually inspected as often as practicable and at least monthly.

(c) *Pressure relief devices in gas/vapor service.* You must monitor each pressure relief device quarterly using the methods specified in § 60.5403b. A leak is defined as an instrument reading of 500 ppmv or greater above background.

(1) In addition to the requirements in paragraph (c) introductory text of this section, after each pressure release, you must monitor each pressure relief device within 5 calendar days after each pressure release to detect leaks. A leak is detected if an instrument reading of 500 ppmv or greater is provided using the methods specified in § 60.5403b(b).

(2) Any pressure relief device that is located in a nonfractionating plant that is monitored only by non-plant personnel may be monitored after a pressure release the next time the monitoring personnel are onsite or within 30 calendar days after a pressure release, whichever is sooner, instead of within 5 calendar days as specified in paragraph (c)(1) of this section.

(3) No pressure relief device described in paragraph (c)(2) of this section may be allowed to operate for more than 30 calendar days after a pressure release without monitoring.

(4) Any pressure relief device that is routed to a process or fuel gas system or equipped with a closed vent system capable of capturing and transporting leakage through the pressure relief device to a control device as described in paragraph (e) of this section is exempt from the requirements of paragraph (c) introductory text and (c)(1) of this section.

(5) Pressure relief devices equipped with a rupture disk are exempt from the requirements of paragraphs (c)(1) and (2) of this section provided you install a new rupture disk upstream of the pressure relief device as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in paragraph (i)(6) of this section.

* * * * *

(f) *Valves in gas/vapor and light liquid service.* You must monitor each valve in gas/vapor and in light liquid service quarterly to detect leaks by the methods specified in § 60.5403b, except as provided in paragraphs (f)(3) through (5) of this section.

(1) A valve that begins operation in gas/vapor service or in light liquid service after the initial startup date for the process unit must be monitored for the first time within 90 days after the end of its startup period to ensure proper installation, except for a valve that replaces a leaking valve and except as provided in paragraphs (f)(3) through (5) of this section.

(2) An instrument reading of 500 ppmv or greater is a leak. You must repair each leaking valve according to the requirements in paragraph (i) of this section.

(3) Any valve that is designated, as described in § 60.5421b(b)(12), for no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, is exempt from the monitoring requirements of paragraph (f) of this section if the valve:

(i) Has no externally actuating mechanism in contact with the process fluid;

(ii) Is operated with emissions less than 500 ppmv above background as determined by the methods specified in § 60.5403b; and

(iii) Is tested for compliance with paragraph (f)(3)(ii) of this section initially upon designation, annually, and at other times requested by the Administrator.

(4) Any valve that is designated, as described in § 60.5421b(b)(13), as an unsafe-to-monitor valve is exempt from the monitoring requirements of paragraph (f) of this section if the requirements in paragraphs (f)(4)(i) and (ii) of this section are met.

(i) You demonstrate that the valve is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (f) of this section; and

(ii) You have a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and you repair the equipment according to the procedures in paragraph (i) of this section if a leak is detected.

(5) Any valve that is designated, as described in § 60.5421b(b)(14), as a difficult-to-monitor valve is exempt from the monitoring requirements of paragraph (f) of this section if the

requirements in paragraph (f)(5)(i) through (iii) of this section are met.

(i) You demonstrate that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface.

(ii) The process unit within which the valve is located has less than 3.0 percent of its total number of valves designated as difficult-to-monitor.

(iii) You have a written plan that requires monitoring of the at least once per calendar year.

* * * * *

(h) *Connectors in gas/vapor service and in light liquid service.* You must initially monitor all connectors in the process unit for leaks by the later of either 12 months after the compliance date or 12 months after initial startup. If all connectors in the process unit have been monitored for leaks prior to the compliance date, no initial monitoring is required provided either no process changes have been made since the monitoring or the owner or operator can determine that the results of the monitoring, with or without adjustments, reliably demonstrate compliance despite process changes. If required to monitor because of a process change, you are required to monitor only those connectors involved in the process change.

(1) You must monitor all connectors in gas/vapor service and all connectors in light liquid service annually, except as provided in § 60.5399b, paragraph (e) of this section or paragraph (h)(2) of this section. If an instrument reading greater than or equal to 500 ppmv is measured, a leak is detected.

(2) Any connector that is designated, as described in § 60.5421b(b)(13), as an unsafe-to-monitor connector is exempt from the requirements of paragraphs (h) introductory text and (h)(1) of this section if the requirements of paragraphs (h)(2)(i) and (ii) of this section are met.

(i) You demonstrate the connector is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraphs (h) introductory text and (h)(1) of this section; and

(ii) You have a written plan that requires monitoring of the connector as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and you repair the equipment according to the procedures in paragraph (i) of this section if a leak is detected.

(3) Inaccessible, ceramic, or ceramic-line connectors.

(i) Any connector that is inaccessible or that is ceramic or ceramic-lined (e.g., porcelain, glass, or glass-lined), is exempt from the monitoring requirements of paragraphs (h) and (h)(1) of this section, from the leak repair requirements of paragraph (i) of this section, and from the recordkeeping and reporting requirements of §§ 60.5421b and 60.5422b. An inaccessible connector is one that meets any of the specifications in paragraphs (h)(3)(i)(A) through (F) of this section, as applicable.

(A) Buried.

(B) Insulated in a manner that prevents access to the connector by a monitor probe.

(C) Obstructed by equipment or piping that prevents access to the connector by a monitor probe.

(D) Unable to be reached from a wheeled scissor-lift or hydraulic-type scaffold that would allow access to connectors up to 7.6 meters (25 feet) above the ground.

(E) Inaccessible because it would require elevating monitoring personnel more than 2 meters (7 feet) above a permanent support surface or would require the erection of scaffold.

(F) Not able to be accessed at any time in a safe manner to perform monitoring. Unsafe access includes, but is not limited to, the use of a wheeled scissor-lift on unstable or uneven terrain, the use of a motorized man-lift basket in areas where an ignition potential exists, or access would require near proximity to hazards such as electrical lines or would risk damage to equipment.

(ii) If any inaccessible, ceramic, or ceramic-lined connector is observed by AVO or other means to be leaking, the indications of a leak to the atmosphere by AVO or other means must be eliminated as soon as practicable.

(4) Connectors which are part of an instrumentation systems and inaccessible, ceramic, or ceramic-lined connectors meeting the provisions of paragraph (h)(3) of this section, are not subject to the recordkeeping requirements of § 60.5421b(b)(1).

(i) *Repair requirements.* When a leak is detected, comply with the requirements of paragraphs (i)(1) through (5) of this section, except as provided in paragraph (i)(6) of this section.

(1) A weatherproof and readily visible identification tag, marked with the equipment identification number, must be attached to the leaking equipment. The identification tag on the equipment may be removed after it has been repaired.

(2) A first attempt at repair must be made as soon as practicable, but no later

than 5 calendar days after the leak is detected.

(i) First attempts at repair for pumps in light liquid or heavy liquid service include, but are not limited to, the practices described in paragraphs (i)(2)(i)(A) and (B) of this section, where practicable.

(A) Tightening the packing gland nuts.

(B) Ensuring that the seal flush is operating at design pressure and temperature.

(ii) For each valve where a leak is detected, you must comply with paragraph (i)(2)(ii)(A), (B), or (C) of this section, unless you meet the requirements of paragraph (i)(2)(ii)(D) of this section.

(A) Repack the existing valve with a low-e packing.

(B) Replace the existing valve with a low-e valve; or

(C) Perform a drill and tap repair with a low-e injectable packing.

(D) An owner or operator is not required to utilize a low-e valve or low-e packing to replace or repack a valve if the owner or operator demonstrates that a low-e valve or low-e packing is not technically feasible. Low-e valve or low-e packing that is not suitable for its intended use is considered to be technically infeasible. Factors that may be considered in determining technical infeasibility include: retrofit requirements for installation (e.g., re-piping or space limitation), commercial unavailability for valve type, or certain instrumentation assemblies.

(3) Repair of leaking equipment must be completed within 15 calendar days after detection of each leak, except as provided in paragraph (i)(4), (5), or (6) of this section.

(4) If the repair for visual indications of liquids dripping for pumps in light liquid service can be made by eliminating visual indications of liquids dripping, you must make the repair within 5 calendar days of detection.

(5) If the repair for AVO or other indication of a leak for open-ended lines or valves; pumps, valves, or connectors in heavy liquid service; or pressure relief devices in light liquid or heavy liquid service can be made by eliminating the AVO, or other indication of a potential leak, you must make the repair within 5 calendar days of detection.

(6) Delay of repair of equipment for which leaks have been detected will be allowed if repair within 15 calendar days is technically infeasible without a process unit shutdown or as specified in paragraphs (i)(6)(i) through (v) of this section. Repair of this equipment shall occur before the end of the next process

unit shutdown. Monitoring to verify repair must occur within 15 calendar days after startup of the process unit.

(i) Delay of repair of equipment will be allowed for equipment which is isolated from the process, and which does not have the potential to emit methane or VOC.

(ii) Delay of repair for valves and connectors will be allowed if the conditions in paragraphs (i)(6)(ii)(A) and (B) are met.

(A) You demonstrate that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and

(B) When repair procedures are conducted, the purged material is collected and destroyed or recovered in a control device complying with paragraph (e) of this section.

(iii) Delay of repair for pumps will be allowed if the conditions in paragraphs (i)(6)(iii)(A) and (B) are met.

(A) Repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and

(B) Repair is completed as soon as practicable, but not later than 6 months after the leak was detected.

(iv) If delay of repair is required to repack or replace the valve, you may use delay of repair. Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.

(v) When delay of repair is allowed for a leaking pump, valve, or connector that remains in service, the pump, valve, or connector may be considered to be repaired and no longer subject to delay of repair requirements if two consecutive monthly monitoring results show no leak remains.

* * * * *

(l) *Reporting.* You must perform the reporting requirements as specified in § 60.5420b(b)(1) and (11) through (13), as applicable, and § 60.5422b.

(m) *Recordkeeping.* You must perform the recordkeeping requirements as specified in § 60.5420b(c)(8) and (10) through (13), as applicable, and § 60.5421b.

■ 19. Amend § 60.5402b by revising paragraph (d) introductory text to read as follows:

§ 60.5402b What are the exceptions to the GHG and VOC standards for process unit equipment affected facilities?

* * * * *

(d) You may use the following provisions instead of § 60.5403b(d):

* * * * *

■ 20. Amend § 60.5403b by revising paragraph (c) introductory text to read as follows:

§ 60.5403b What test methods and procedures must I use for my process unit equipment affected facilities?

* * * * *

(c) You shall determine compliance with the no detectable emission standards in § 60.5401b(b) and (f) as specified in paragraphs (c)(1) and (2) of this section.

* * * * *

§ 60.5406b [Amended]

■ 21. Amend § 60.5406b by redesignating the second paragraph (c)(4)(iv) as paragraph (c)(4)(vi).

■ 22. Amend § 60.5407b by revising paragraph (b)(4) to read as follows:

§ 60.5407b What are the requirements for monitoring of emissions and operations from my sweetening unit affected facilities?

* * * * *

(b) * * *

(4) Upon promulgation of a performance specification of continuous monitoring systems for total reduced sulfur compounds at sulfur recovery plants, you may, as an alternative to paragraph (b)(2) of this section, install, calibrate, maintain, and operate a continuous emission monitoring system for total reduced sulfur compounds as required in paragraph (c) of this section in addition to a sulfur dioxide emission monitoring system. The sum of the equivalent sulfur mass emission rates from the two monitoring systems must be used to compute the total sulfur emission rate (E).

* * * * *

■ 23. Amend § 60.5410b by revising and republishing paragraphs (b)(4) introductory text, (c), (d)(2) and (6), (e)(3), (f) introductory text, (f)(2) introductory text, (g), and (h)(12) to read as follows:

§ 60.5410b How do I demonstrate initial compliance with the standards for each of my affected facilities?

* * * * *

(b) * * *

(4) If you comply by using § 60.5376b(g), you must comply with paragraphs (b)(4)(i) through (vi) of this section.

* * * * *

(c) *Associated gas well standards for well affected facility.* To demonstrate initial compliance with the GHG and VOC standards for each associated gas well as required by § 60.5377b, you must comply with paragraphs (c)(1) through (4) of this section.

(1) If you comply with the requirements of § 60.5377b(a), you must maintain the records specified in § 60.5420b(c)(3)(i), (ii), and (iv).

(2) For associated gas wells that comply with § 60.5377b(f) based on a demonstration and certification that it is not feasible to comply with paragraphs (a)(1), (2), (3), and (4) of this section due to technical reasons in accordance with paragraph § 60.5377b(g), you must comply with paragraphs (c)(2)(i) and (ii) of this section.

(i) Document the technical reasons why it is infeasible to route recovered associated gas into a gas gathering flow line or collection system to a sales line, use it as an onsite fuel source, use it for another useful purpose that a purchased fuel or raw material would serve, or re-inject it into the well or inject it into another well, maintain the documentation in accordance with § 60.5377(g), and submit this documentation in the initial annual report as required by paragraph (c)(4) of this section.

(ii) Maintain a copy of the certification and submit the certification as required by § 60.5377b(g).

(3) If you comply with § 60.5377b(d) or (f), you must comply with paragraphs (c)(3)(i) through (vi) of this section.

(i) Reduce methane and VOC emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413b.

(ii) Install a closed vent system that meets the requirements of § 60.5411b(a) and (c) to capture the associated gas and route the captured associated gas to a control device that meets the conditions specified in § 60.5412b.

(iii) Conduct an initial performance test as required in § 60.5413b within 180 days after initial startup or by May 7, 2024, whichever date is later, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415b(f).

(iv) Conduct the initial inspections required in § 60.5416b(a) and (b).

(v) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.

(vi) Maintain the records specified in § 60.5420b(c)(3)(iv) and (c)(8) and (c)(10) through (13), as applicable.

(4) You must submit the initial annual report for your associated gas well as required in § 60.5420b(b)(1) and (4) and (b)(11) through (13), as applicable.

(d) * * *

(2) If you use a control device to reduce emissions to comply with § 60.5380b(a)(1) and (2), you must equip the wet seal fluid degassing system with a cover that meets the requirements of § 60.5411b(b) that is connected through a closed vent system that meets the requirements of § 60.5411b(a) and (c) and is routed to a control device that meets the conditions specified in § 60.5412b. If you comply with § 60.5380b(a)(3) by routing the closed vent system to a process as an alternative to routing the closed vent system to a control device, you must equip the wet seal fluid degassing system with a cover that meets the requirements of § 60.5411b(b), and route captured vapors through a closed vent system to a process that meets the requirements of § 60.5411b(a) and (c).

* * * * *

(6) You must maintain the volumetric flow rates for your centrifugal compressors as specified in paragraphs (d)(6)(i) through (iii) of this section, as applicable.

(i) For your self-contained wet seal centrifugal compressors, you must maintain the volumetric flow rate at or below 3 scfm per seal. You must conduct your initial annual volumetric measurement as required by § 60.5380b(a)(4).

(ii) For your centrifugal compressor on the Alaska North Slope equipped with sour seal oil separator and capture system, you must maintain the volumetric flow rate at or below 9 scfm per seal. You must conduct your initial annual volumetric measurement as required by § 60.5380b(a)(5).

(iii) For your dry seal centrifugal compressor, you must maintain the volumetric flow rate at or below 10 scfm per seal. You must conduct your initial annual volumetric measurement as required by § 60.5380b(a)(6).

* * * * *

(e) * * *

(3) If you comply with § 60.5385b(d) by collecting the emissions from your rod packing emissions collection system by using a control device to reduce VOC and methane emissions by 95.0 percent as required by § 60.5385b(d)(2), you must equip the reciprocating compressor with a cover that meets the requirements of § 60.5411b(b), route emissions to a control device that meets the conditions specified in § 60.5412b through a closed vent system that meets the requirements of § 60.5411b(a) and

(c) and you must conduct the initial inspections required in § 60.5416b(a) and (b).

* * * * *

(f) *Process controller affected facility.* To demonstrate initial compliance with GHG and VOC emission standards for your process controller affected facility as required by § 60.5390b, you must comply with paragraphs (f)(1) through (5) of this section, as applicable. If you change compliance methods, you must also perform the applicable compliance demonstrations of paragraphs (f)(1) through (3) of this section again for the new compliance method, note the change in compliance method in the annual report required by § 60.5420b(b)(7)(iv), and maintain the records required by paragraph (f)(5) of this section for the new compliance method.

* * * * *

(2) For each process controller affected facility located at a site in Alaska that does not have access to electrical power, you must demonstrate initial compliance with § 60.5390b(b)(1) and (2) or with § 60.5390b(b)(3), instead of complying with paragraph § 60.5390b(a), by meeting the requirements specified in (f)(2)(i) through (iv) of this section for each process controller, as applicable.

* * * * *

(g) *Pump affected facility.* To demonstrate initial compliance with the GHG and VOC standards for your pump affected facility as required by § 60.5393b, you must comply with paragraphs (g)(1) through (4) of this section, as applicable. If you change compliance methods, you must also perform the applicable compliance demonstrations of paragraphs (g)(1) and (2) of this section again for the new compliance method, note the change in compliance method in the annual report required by § 60.5420b(b)(10)(v)(C), and maintain the records required by paragraph (g)(4) of this section for the new compliance method.

(1) For pump affected facilities complying with the requirements of § 60.5393b(a) or (b)(2) by routing emissions to a process, you must meet the requirements specified in paragraphs (g)(1)(ii) and (iv) of this section. For pump affected facilities complying with the requirements of § 60.5393b(b)(3), you must meet the requirements specified in paragraphs (g)(1)(i) through (v) of this section.

(i) Reduce methane and VOC emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413b.

(ii) Install a closed vent system that meets the requirements of § 60.5411b(a) and (c) to capture all emissions from all pumps in the pump affected facility and route all emissions to a process or control device that meets the conditions specified in § 60.5412b.

(iii) Conduct an initial performance test as required in § 60.5413b within 180 days after initial startup or by May 7, 2024, whichever date is later, or install a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415b(f).

(iv) Conduct the initial inspections of the closed vent system and bypasses, if applicable, as required in § 60.5416b(a) and (b).

(v) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417b(a) through (i), as applicable.

(2) Submit the certifications specified in paragraphs (g)(2)(i) through (iii) of this section, as applicable.

(i) The certification required by § 60.5393b(b)(5) that there is no vapor recovery unit on site and that there is a control device on site, but it does not achieve a 95.0 percent emissions reduction.

(ii) The certification required by § 60.5393b(b)(6) that there is no control device or process available on site.

(iii) The certification required by § 60.5393b(b)(7) that it is technically infeasible to capture and route the pump affected facility emissions to a process or an existing control device.

(3) You must submit the initial annual report for your pump affected facility as specified in § 60.5420b(b)(1), (10), and (b)(11) through (13), as applicable.

(4) You must maintain the records for your pump affected facility as specified in § 60.5420b(c)(8) and (c)(10) through (13), as applicable, and (c)(15).

(h) * * *

(12) You must tag and repair each identified leak as required in § 60.5400b(h) or § 60.5401b(i), as applicable.

* * * * *

■ 24. Amend § 60.5411b by revising paragraph (b)(4) to read as follows:

§ 60.5411b What additional requirements must I meet to determine initial compliance for my covers and closed vent systems?

* * * * *

(b) * * *

(4) You must design and operate the cover with no identifiable emissions as demonstrated by § 60.5416b(a) and (b), except when operated as provided in

paragraphs (b)(2)(i) through (iv) of this section.

* * * * *

■ 25. Amend § 60.5412b by revising paragraphs (a) introductory text, (c)(1)(i), and (d)(4) to read as follows:

§ 60.5412b What additional requirements must I meet for determining initial compliance of my control devices?

* * * * *

(a) Each control device used to meet the emissions reduction standard in § 60.5377b(d) or (f) for your associated gas well at a well affected facility; § 60.5376b(g) for your well affected facility gas well that unloads liquids; § 60.5380b(a)(1) or (9) for your centrifugal compressor affected facility; § 60.5385b(d)(2) for your reciprocating compressor affected facility; § 60.5395b(a)(2) for your storage vessel affected facility; § 60.5390b(b)(3) for your process controller affected facility in Alaska; § 60.5393b(b)(3) for your pumps affected facility; or either § 60.5400b(f) or § 60.5401b(e) for your process equipment affected facility must be installed according to paragraphs (a)(1) through (3) of this section. As an alternative to paragraph (a)(1) of this section, you may install a combustion control device model tested under § 60.5413b(d), which meets the criteria in § 60.5413b(d)(11) and which meets the initial and continuous compliance requirements in § 60.5413b(e).

* * * * *

(c) * * *

(1) * * *

(i) Following the initial startup of the control device, you must replace all carbon in the carbon adsorption system with fresh carbon on a regular, predetermined time interval that is no longer than the carbon service life established according to § 60.5413b(c)(2) or (3). You must maintain records identifying the schedule for replacement and records of each carbon replacement as required in § 60.5420b(c)(11).

* * * * *

(d) * * *

(4) The alternative test method must be capable of documenting periods when the enclosed combustion device or flare operates with visible emissions. If the alternative test method cannot identify periods of visible emissions, you must conduct the inspections required by § 60.5417b(d)(8)(v).

* * * * *

■ 26. Amend § 60.5413b by revising the introductory text to read as follows:

§ 60.5413b What are the performance testing procedures for control devices?

This section applies to the performance testing of control devices

used to demonstrate compliance with the emissions standards for your well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facilities. You must demonstrate that a control device achieves the performance requirements of § 60.5412b(a)(1) or (2) using the performance test methods and procedures specified in this section. For condensers and carbon adsorbers, you may use a design analysis as specified in paragraph (c) of this section in lieu of complying with paragraph (b) of this section. In addition, this section contains the requirements for enclosed combustion device performance tests conducted by the manufacturer applicable to well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facilities.

* * * * *

■ 27. Amend § 60.5415b by revising and republishing paragraphs (d), (e), (f), (h), (i), (k), and (l) to read as follows:

§ 60.5415b How do I demonstrate continuous compliance with the standards for each of my affected facilities?

* * * * *

(d) *Centrifugal compressor affected facility.* For each wet seal centrifugal compressor affected facility complying with § 60.5380b(a)(1) and (2), or with § 60.5380b(a)(3) by routing emissions to a control device or to a process, you must demonstrate continuous compliance according to paragraph (d)(1) and paragraphs (d)(3) and (4) of this section. For each self-contained wet seal centrifugal compressor complying with the requirements in § 60.5380b(a)(4), you must demonstrate continuous compliance according to paragraphs (d)(2) through (4) of this section. For each centrifugal compressor on the Alaska North Slope equipped with sour seal oil separator and capture system, complying with the requirements of § 60.5380b(a)(5), you must demonstrate continuous compliance according to paragraphs (d)(2) through (4) of this section. For each dry seal centrifugal compressor complying with the requirements in § 60.5380b(a)(6), you must demonstrate continuous compliance according to paragraphs (d)(2) through (4) of this section.

(1) For each wet seal centrifugal compressor affected facility complying by routing emissions to a control device or to a process, you must operate the wet seal emissions collection system to route emissions to a control device or a process through a closed vent system

and continuously comply with the cover and closed vent requirements of § 60.5416b. If you comply with § 60.5380b(a)(2) by using a control device, you also must comply with the requirements in paragraph (f) of this section.

(2) You must maintain volumetric flow rate at or below the flow rates specified in § 60.5380b(a)(4) for your self-contained centrifugal compressor, § 60.5380b(a)(5) for your Alaska North Slope centrifugal compressor equipped with a sour seal oil separator and capture system, and § 60.5380b(a)(6) for your centrifugal compressor equipped with dry seals, as applicable. You must conduct the required volumetric flow rate measurement of your self-contained wet seal centrifugal compressor in accordance with § 60.5380b(a)(4), your Alaska North Slope centrifugal compressor equipped with a sour seal oil separator and capture system in accordance with § 60.5380b(a)(5), and your dry seal centrifugal compressor in accordance with § 60.5380b(a)(6), as applicable, on or before 8,760 hours of operation after your last volumetric flow rate measurement which demonstrates compliance with the volumetric flow rate specified in § 60.5380b(a)(4) for your self-contained centrifugal compressor, § 60.5380b(a)(5) for your Alaska North Slope centrifugal compressor equipped with a sour seal oil separator and capture system and § 60.5380b(a)(6) for your centrifugal compressor equipped with dry seals, as applicable.

(3) You must submit the annual reports as required in § 60.5420b(b)(1), (5), and (11)(i) through (iv), as applicable.

(4) You must maintain records as required in § 60.5420b(c)(4), (8) through (10), and (12), as applicable.

(e) *Pump affected facility.* To demonstrate continuous compliance with the GHG and VOC standards for your pump affected facility as required by § 60.5393b, you must comply with paragraphs (e)(1) through (3) of this section.

(1) For pump affected facilities complying with the requirements of § 60.5393b(a) by routing emissions to a process, and for pump affected facilities complying with the requirements of § 60.5393b(b)(2), or (3), you must route emissions through a closed vent system and continuously comply with the closed vent requirements of § 60.5416b. If you comply with § 60.5393b(b)(3), you also must comply with the requirements in paragraph (f) of this section.

(2) You must submit the annual reports for your pump affected facility

as required in § 60.5420b(b)(1), (10), and (11)(i) through (iv), as applicable.

(3) You must maintain the records for your pump affected facility as specified in § 60.5420b(c)(8), (10) through (12), and (15), as applicable.

(f) *Additional continuous compliance requirements for well, centrifugal compressor, reciprocating compressor, process controllers in Alaska, storage vessel, process unit equipment, or pump affected facilities.* For each associated gas well, each gas well that conducts liquids unloading, each centrifugal compressor affected facility, each reciprocating compressor affected facility, each process controller affected facility in Alaska, each storage vessel affected facility, each process unit equipment affected facility, and each pump affected facility referenced to this paragraph from either paragraph (b), (c), (d)(1), (e)(1), (g)(2), (h)(2), (i)(5)(ii)(B), or (j)(12) of this section, you must also install monitoring systems as specified in § 60.5417b, demonstrate continuous compliance according to paragraph (f)(1) of this section, maintain the records in paragraph (f)(2) of this section, and comply with the reporting requirements specified in paragraph (f)(3) of this section.

(1) You must demonstrate continuous compliance with the control device performance requirements of § 60.5412b(a) using the procedures specified in paragraphs (f)(1)(i) through (viii) of this section and conducting the monitoring as required by § 60.5417b. If you use a condenser as the control device to achieve the requirements specified in § 60.5412b(a)(2), you may demonstrate compliance according to paragraph (f)(1)(ix) of this section. You may switch between compliance with paragraphs (f)(1)(i) through (viii) of this section and compliance with paragraph (f)(1)(ix) of this section only after at least 1 year of operation in compliance with the selected approach. You must provide notification of such a change in the compliance method in the next annual report, following the change. If you use an enclosed combustion device or a flare as the control device, you must also conduct the monitoring required in paragraph (f)(1)(x) of this section. If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), you must use the procedures in paragraph (f)(1)(xi) of this section in lieu of the procedures in paragraphs (f)(1)(i) through (viii) of this section, but you must still conduct the monitoring required in paragraph (f)(1)(x) of this section.

(i) You must operate below (or above) the site-specific maximum (or

minimum) parameter value established according to the requirements of § 60.5417b(f)(1). For flares, you must operate above the limits specified in paragraphs (f)(1)(vii)(B) of this section.

(ii) You must calculate the average of the applicable monitored parameter in accordance with § 60.5417b(e).

(iii) Compliance with the operating parameter limit is achieved when the average of the monitoring parameter value calculated under paragraph (f)(1)(ii) of this section is either equal to or greater than the minimum parameter value or equal to or less than the maximum parameter value established under paragraph (f)(1)(i) of this section. When performance testing of a combustion control device is conducted by the device manufacturer as specified in § 60.5413b(d), compliance with the operating parameter limit is achieved when the criteria in § 60.5413b(e) are met.

(iv) You must operate the continuous monitoring system required in § 60.5417b(a) at all times the affected source is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities, including, as applicable, system accuracy audits and required zero and span adjustments. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.

(v) You may not use data recorded during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities in calculations used to report emissions or operating levels. You must use all the data collected during all other required data collection periods to assess the operation of the control device and associated control system.

(vi) Failure to collect required data is a deviation of the monitoring requirements.

(vii) If you use an enclosed combustion device to meet the requirements of § 60.5412b(a)(1) and you demonstrate compliance using the test procedures specified in § 60.5413b(b), or you use a flare

designed and operated in accordance with § 60.5412b(a)(3), you must comply with the applicable requirements in paragraphs (f)(1)(vii)(A) through (E) of this section.

(A) For each enclosed combustion device which is not a catalytic vapor incinerator and for each flare, you must comply with the requirements in paragraphs (f)(1)(vii)(A)(1) through (4) of this section.

(1) A pilot or combustion flame must be present at all times of operation. An alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.

(2) Devices must be operated with no visible emissions, except for periods not to exceed a total of 1 minute during any 15-minute period. A visible emissions test conducted according to section 11 of Method 22 of appendix A-7 to this part, must be performed at least once every calendar month, separated by at least 15 days between each test. The observation period shall be 15 minutes or once the amount of time visible emissions is present has exceeded 1 minute, whichever time period is less. Alternatively, you may conduct visible emissions monitoring according to § 60.5417b(h).

(3) Devices failing the visible emissions test must follow manufacturer's repair instructions, if available, or best combustion engineering practice as outlined in the unit inspection and maintenance plan, to return the unit to compliant operation. All repairs and maintenance activities for each unit must be recorded in a maintenance and repair log and must be available for inspection.

(4) Following return to operation from maintenance or repair activity, each device must pass a Method 22 of appendix A-7 to this part visual observation as described in paragraph (f)(1)(vii)(A)(2) of this section or be monitored according to § 60.5417b(h).

(B) For flares, you must comply with the requirements in paragraphs (f)(1)(vii)(B)(1) through (6) of this section.

(1) For unassisted flares, maintain the NHV of the gas sent to the flare at or above 200 Btu/scf.

(2) If you use a pressure assisted flare, maintain the NHV of gas sent to the flare at or above 800 Btu/scf.

(3) For steam-assisted and air-assisted flares, maintain the NHV_{cz} at or above 270 Btu/scf.

(4) For flares with perimeter assist air, maintain the NHV_{dil} at or above 22 Btu/sqft. If the only assist air provided to the flare is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter

is 9 inches or greater, you are not required to comply with the NHV_{dil} limit.

(5) Unless you use a pressure-assisted flare, maintain the flare tip velocity below the applicable limits in § 60.18(b).

(6) Maintain the total gas flow to the flare above the minimum inlet gas flow rate. The minimum inlet gas flow rate is established based on manufacturer recommendations.

(C) For enclosed combustion devices for which, during the performance test conducted under § 60.5413b(b), the combustion zone temperature is not an indicator of destruction efficiency, you must comply with the requirements in paragraphs (f)(1)(vii)(C)(1) through (5) of this section, as applicable.

(1) Maintain the total gas flow to the enclosed combustion device at or above the minimum inlet gas flow rate and at or below the maximum inlet flow rate for the enclosed combustion device established in accordance with § 60.5417b(f).

(2) For unassisted enclosed combustion devices, maintain the NHV of the gas sent to the enclosed combustion device at or above 200 Btu/scf.

(3) For enclosed combustion devices that use pressure-assisted burner tips to promote mixing at the burner tip, maintain the NHV of the gas sent to the enclosed combustion device at or above 800 Btu/scf.

(4) For steam-assisted and air-assisted enclosed combustion devices, maintain the NHV_{cz} at or above 270 Btu/scf.

(5) For enclosed combustion devices with perimeter assist air, maintain the NHV_{dil} at or above 22 Btu/sqft. If the only assist air provided to the enclosed combustion device is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are not required to comply with the NHV_{dil} limit.

(D) For enclosed combustion devices for which, during the performance test conducted under § 60.5413b(b), the combustion zone temperature is demonstrated to be an indicator of destruction efficiency, you must comply with the requirements in paragraphs (f)(1)(vii)(D)(1) and (2) of this section.

(1) Maintain the temperature at or above the minimum temperature established during the most recent performance test. The minimum temperature limit established during the most recent performance test is the average temperature recorded during each test run, averaged across the 3 test runs (average of the test run averages).

(2) Maintain the total gas flow to the enclosed combustion device at or above the minimum inlet gas flow rate and at or below the maximum inlet flow rate for the enclosed combustion device established in accordance with § 60.5417b(f).

(E) For catalytic vapor incinerators you must operate the catalytic vapor incinerator at or above the minimum temperature of the catalyst bed inlet and at or above the minimum temperature differential between the catalyst bed inlet and the catalyst bed outlet established in accordance with § 60.5417b(f).

(viii) If you use a carbon adsorption system as the control device to meet the requirements of § 60.5412b(a)(2), you must demonstrate compliance by the procedures in paragraphs (f)(1)(viii)(A) and (B) of this section, as applicable.

(A) If you use a regenerative-type carbon adsorption system, you must comply with paragraphs (f)(1)(viii)(A)(1) through (4) of this section.

(1) You must maintain the average regenerative mass flow or volumetric flow to the carbon adsorber during each bed regeneration cycle above the limit established in accordance with § 60.5413b(c)(2).

(2) You must maintain the average carbon bed temperature above the temperature limit established in accordance with § 60.5413b(c)(2) during the carbon bed steaming cycle and below the carbon bed temperature established in accordance with § 60.5413b(c)(2) after the regeneration cycle.

(3) You must check the mechanical connections for leakage at least every month, and you must perform a visual inspection at least every 3 months of all components of the continuous parameter monitoring system for physical and operational integrity and all electrical connections for oxidation and galvanic corrosion if your continuous parameter monitoring system is not equipped with a redundant flow sensor.

(4) You must replace all carbon in the carbon adsorption system with fresh carbon on a regular, predetermined time interval that is no longer than the carbon service life established according to § 60.5413b(c)(2).

(B) If you use a nonregenerative-type carbon adsorption system, you must replace all carbon in the control device with fresh carbon on a regular, predetermined time interval that is no longer than the carbon service life established according to § 60.5413b(c)(3).

(ix) If you use a condenser as the control device to achieve the percent

reduction performance requirements specified in § 60.5412b(a)(2), you must demonstrate compliance using the procedures in paragraphs (f)(1)(ix)(A) through (E) of this section.

(A) You must establish a site-specific condenser performance curve according to § 60.5417b(f)(2).

(B) You must calculate the daily average condenser outlet temperature in accordance with § 60.5417b(e).

(C) You must determine the condenser efficiency for the current operating day using the daily average condenser outlet temperature calculated under paragraph (f)(1)(ix)(B) of this section and the condenser performance curve established under paragraph (f)(1)(ix)(A) of this section.

(D) Except as provided in paragraphs (f)(1)(ix)(D)(1) and (2) of this section, at the end of each operating day, you must calculate the 365-day rolling average TOC emission reduction, as appropriate, from the condenser efficiencies as determined in paragraph (f)(1)(ix)(C) of this section.

(1) After the compliance dates specified in § 60.5370b(a), if you have less than 120 days of data for determining average TOC emission reduction, you must calculate the average TOC emission reduction for the first 120 days of operation after the compliance date. You have demonstrated compliance with the overall 95.0 percent reduction requirement if the 120-day average TOC emission reduction is equal to or greater than 95.0 percent.

(2) After 120 days and no more than 364 days of operation after the compliance date specified in § 60.5370b(a), you must calculate the average TOC emission reduction as the TOC emission reduction averaged over the number of days between the current day and the applicable compliance date. You have demonstrated compliance with the overall 95.0 percent reduction requirement if the average TOC emission reduction is equal to or greater than 95.0 percent.

(E) If you have data for 365 days or more of operation, you have demonstrated compliance with the TOC emission reduction if the rolling 365-day average TOC emission reduction calculated in paragraph (f)(1)(ix)(D) of this section is equal to or greater than 95.0 percent.

(x) During each inspection conducted using an OGI camera under § 60.5397b and during each periodic screening event or each inspection conducted using an OGI camera under § 60.5398b, you must observe each enclosed combustion device and flare to determine if it is operating properly.

You must determine whether there is a flame present and whether any uncontrolled emissions from the control device are visible with the OGI camera or the technique used to conduct the periodic screening event. During each inspection conducted under § 60.5397b using AVO, you must observe each enclosed combustion device and flare to determine if it is operating properly. Visually confirm that the pilot or combustion flame is lit and that the pilot or combustion flame is operating properly.

(xi) If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), you must comply with paragraphs (f)(1)(xi)(A) through (E) of this section.

(A) You must maintain the combustion efficiency at or above 95.0 percent. Alternatively, if the alternative test method does not directly monitor combustion efficiency, you must comply with the applicable requirements in paragraphs (f)(1)(xi)(A)(1) and (2) of this section.

(1) Maintain the NHV_{cz} at or above 270 Btu/scf.

(2) For flares or enclosed combustion devices with perimeter assist air, maintain the NHV_{dil} at or above 22 Btu/sqft. If the only assist air provided to the flare or enclosed combustion device is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are only required to comply with the NHV_{cz} limit specified in paragraph (f)(1)(xi)(A)(1) of this section.

(B) You must calculate the value of the applicable monitored metric(s) in accordance with the approved alternative test method. Compliance with the limit is achieved when the calculated values are within the range specified in paragraph (f)(1)(xi)(A) of this section.

(C) You must conduct monitoring using the alternative test method at all times the affected source is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities, including, as applicable, system accuracy audits and required zero and span adjustments. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response

to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.

(D) You may not use data recorded during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities in calculations used to report values to demonstrate compliance with the limits specified in paragraph (f)(1)(xi)(A) of this section. You must use all the data collected during all other required data collection periods to assess the operation of the control device and associated control system.

(E) Failure to collect required data is a deviation of the monitoring requirements.

(2) You must maintain the records as specified in § 60.5420b(c)(11) and (13).

(3) You must comply with the reporting requirements in § 60.5420b(b)(11) through (13).

* * * * *

(h) *Process controller affected facility.* To demonstrate continuous compliance with GHG and VOC emission standards for your process controller affected facility as required by § 60.5390b, you must comply with paragraphs (h)(1) through (4) of this section, as applicable.

(1) You must demonstrate that your process controller affected facility does not emit any VOC or methane to the atmosphere by meeting the requirements of paragraphs (h)(1)(i) or (ii) of this section.

(i) If you comply by routing the emissions to a process, you must route emissions through a closed vent system and continuously comply with the closed vent system inspection and monitoring requirements of § 60.5416b.

(ii) If you comply by using a self-contained natural gas-driven process controller, you must conduct the no identifiable emissions inspections required by § 60.5416b(b).

(2) For each process controller affected facility located at a site in Alaska that does not have access to electrical power and that complies by reducing methane and VOC emissions from all controllers in the process controller affected facility by 95.0 percent in accordance with § 60.5390b(b)(3), you must route emissions to a control device through a closed vent system and continuously comply with the closed vent requirements of § 60.5416b and the requirements in paragraph (f) of this section for the control device.

(3) You must submit the annual report for your process controller as required

in § 60.5420b(b)(1), (7), and (11) through (13), as applicable.

(4) You must maintain the records as specified in § 60.5420b(c)(6), (8), (10), and (12) for each process controller affected facility, as applicable.

(i) *Storage vessel affected facility.* For each storage vessel affected facility, you must demonstrate continuous compliance with the requirements of § 60.5395b according to paragraphs (i)(1) through (10) of this section, as applicable.

(1) For each storage vessel affected facility complying with the requirements of § 60.5395b(a)(2), you must demonstrate continuous compliance according to paragraphs (i)(5), (9) and (10) of this section.

(2) For each storage vessel affected facility complying with the requirements of § 60.5395b(a)(3), you must demonstrate continuous compliance according to paragraphs (i)(2)(i), (ii), or (iii) of this section, as applicable, and (i)(9) and (10) of this section.

(i) You must maintain the uncontrolled actual VOC emissions at less than 4 tpy and the uncontrolled actual methane emissions at less than 14 tpy from the storage vessel affected facility.

(ii) You must comply with paragraph (i)(5) of this section as soon as liquids from the well are routed to the storage vessel affected facility following fracturing or refracturing according to the requirements of § 60.5395b(a)(3)(i).

(iii) You must comply with paragraph (i)(5) of this section within 30 days of the monthly determination according to the requirements of § 60.5395b(a)(3)(ii), where the monthly emissions determination indicates that VOC emissions from your storage vessel affected facility increase to 4 tpy or greater or methane emissions from your storage vessel affected facility increase to 14 tpy or greater and the increase is not associated with fracturing or refracturing of a well feeding the storage vessel affected facility.

(3) For each storage vessel affected facility or portion of a storage vessel affected facility removed from service, you must demonstrate compliance with the requirements of § 60.5395b(c)(1) or (2) by complying with paragraphs (i)(6), (7), (9), and (10) of this section.

(4) For each storage vessel affected facility or portion of a storage vessel affected facility returned to service, you must demonstrate compliance with the requirements of § 60.5395b(c)(3) and (4) by complying with paragraphs (i)(8) through (10) of this section.

(5) For each storage vessel affected facility, you must comply with

paragraphs (i)(5)(i) and (ii) of this section.

(i) You must reduce VOC emissions as specified in § 60.5395b(a)(2).

(ii) For each control device installed to meet the requirements of § 60.5395b(a)(2), you must demonstrate continuous compliance with the performance requirements of § 60.5412b for each storage vessel affected facility using the procedure specified in paragraphs (i)(5)(ii)(A) and (i)(5)(ii)(B) of this section. When routing emissions to a process, you must demonstrate continuous compliance as specified in paragraph (i)(5)(ii)(A) of this section.

(A) You must comply with § 60.5416b for each cover and closed vent system.

(B) You must comply with the requirements specified in paragraph (f) of this section.

(6) You must completely empty and degas each storage vessel, such that each storage vessel no longer contains crude oil, condensate, produced water or intermediate hydrocarbon liquids. For a portion of a storage vessel affected facility to be removed from service, you must completely empty and degas the storage vessel(s), such that the storage vessel(s) no longer contains crude oil, condensate, produced water, or intermediate hydrocarbon liquids. A storage vessel where liquid is left on walls, as bottom clingage, or in pools due to floor irregularity is considered to be completely empty.

(7) You must disconnect the storage vessel(s) from the tank battery by isolating the storage vessel(s) from the tank battery such that the storage vessel(s) is no longer manifolded to the tank battery by liquid or vapor transfer.

(8) You must determine the affected facility status of a storage vessel returned to service as provided in § 60.5365b(e)(6).

(9) You must submit the annual reports as required by § 60.5420b(b)(1), (8), and (11)(i) through (iv).

(10) You must maintain the records as required by § 60.5420b(c)(7) through (10) and (c)(12), as applicable.

* * * * *

(k) *Sweetening unit affected facility.* For each sweetening unit affected facility, you must demonstrate continuous compliance with the requirements of § 60.5405b(b) according to paragraphs (k)(1) through (10) of this section.

(1) You must determine the minimum required continuous reduction efficiency of SO₂ emissions (Z_c) as required by § 60.5406b(b).

(2) You must determine the emission reduction efficiency (R) achieved by your sulfur reduction technology using

the procedures in § 60.5406b(c)(1) through (c)(4).

(3) You must demonstrate compliance with the standard at § 60.5405b(b) by comparing the minimum required sulfur dioxide emission reduction efficiency (Z_c) to the emission reduction efficiency achieved by the sulfur recovery technology (R), where R must be greater than or equal to Z_c .

(4) You must calibrate, maintain, and operate monitoring devices or perform measurements to determine the accumulation of sulfur product, the H_2S concentration, the average acid gas flow rate, and the sulfur feed rate in accordance with § 60.5407b(a).

(5) You must determine the required SO_2 emissions reduction efficiency each 24-hour period in accordance with § 60.5407b(a), § 60.5407b(d), and § 60.5407b(e), as applicable.

(6) You must calibrate, maintain, and operate monitoring devices and continuous emission monitors in accordance with § 60.5407b(b), (f), and (g), if you use an oxidation control system or a reduction control system followed by an incineration device.

(7) You must continuously operate the incineration device, if you use an oxidation control system or a reduction control system followed by an incineration device.

(8) You must calibrate, maintain, and operate a continuous monitoring system to measure the emission rate of reduced sulfur compounds in accordance with § 60.5407b(c), (f), and (g), if you use a reduction control system not followed by an incineration device.

(9) You must submit the reports as required by § 60.5423b(d).

(10) You must maintain the records as required by § 60.5423b(a), (e), and (f), as applicable.

(1) *Continuous compliance.* For each fugitive emissions components affected facility, you must demonstrate continuous compliance with the requirements of § 60.5397b(a) according to paragraphs (l)(1) through (4) of this section.

(1) *Monitoring.* You must conduct periodic monitoring surveys as required in § 60.5397b(e) and (g).

(2) *Repairs.* You must repair each identified source of fugitive emissions as required in § 60.5397b(h).

(3) *Reports.* You must submit annual reports for fugitive emissions components affected facilities as required in § 60.5420b(b)(1) and (9).

(4) *Records.* You must maintain records as specified in § 60.5420b(c)(14).

■ 28. Amend § 60.5416b by revising paragraphs (a) introductory text and (b)(2) to read as follows:

§ 60.5416b What are the initial and continuous cover and closed vent system inspection and monitoring requirements?

* * * * *

(a) *Inspections for closed vent systems, covers, and bypass devices.* If you install a control device or route emissions to a process, you must inspect each closed vent system according to the procedures and schedule specified in paragraphs (a)(1) and (2) of this section, inspect each cover according to the procedures and schedule specified in paragraph (a)(3) of this section, and inspect each bypass device according to the procedures of paragraph (a)(4) of this section, except as provided in paragraphs (b)(7) and (8) of this section.

* * * * *

(b) * * *
(2) *OGI application.* Where OGI is used, the closed vent system, cover, or self-contained process controller is determined to operate with no identifiable emissions if no emissions are imaged during the inspection. Emissions imaged by OGI constitute a deviation of the no identifiable emissions standard until an OGI inspection conducted in accordance with paragraph (b)(1) of this section determines that the closed vent system, cover, or self-contained process controller, as applicable, operates with no identifiable emissions.

* * * * *

■ 29. Amend § 60.5417b by revising paragraphs (a), (d)(8) introductory text, (i)(4) and (5), and (j) to read as follows:

§ 60.5417b What are the continuous monitoring requirements for my control devices?

* * * * *

(a) For each control device used to comply with the emission reduction standard in § 60.5377b(b) for well affected facilities, § 60.5380b(a)(1) for centrifugal compressor affected facilities, § 60.5385b(d)(2) for reciprocating compressor affected facilities, § 60.5390b(b)(3) for your process controller affected facility in Alaska, § 60.5393b(b)(3) for your pumps affected facility, § 60.5395b(a)(2) for your storage vessel affected facility, or either § 60.5400b(f) or § 60.5401b(e) for your process equipment affected facility, you must install and operate a continuous parameter monitoring system for each control device as specified in paragraphs (c) through (h) of this section, except as provided for in paragraph (b) of this section. If you install and operate a flare in accordance with § 60.5412b(a)(3), you are exempt from the requirements of paragraph (f) of this section. If you operate an enclosed combustion device or flare

using an alternative test method approved under § 60.5412b(d), you must operate the control device as specified in paragraph (i) of this section instead of using the procedures specified in paragraphs (c) through (h) of this section. You must keep records and report in accordance with paragraph (j) of this section.

* * * * *

(d) * * *

(8) For an enclosed combustion device, other than those listed in paragraphs (d)(1) through (3) and (7) of this section, or for a flare, continuous monitoring systems as specified in paragraphs (d)(8)(i) through (iv) of this section and visible emission observations conducted as specified in paragraph (d)(8)(v) of this section. Additionally, for enclosed combustion devices or flares that are air-assisted or steam-assisted, the continuous monitoring systems specified in paragraph (d)(8)(vi) of this section.

* * * * *

(i) * * *

(4) If required by § 60.5412b(d)(4), you must conduct the inspections required by paragraph (d)(8)(v) of this section.

(5) If required by § 60.5412b(d)(5), you must install the pilot or combustion flame monitoring system required by paragraph (d)(8)(i) of this section.

* * * * *

(j) You must submit annual reports for control devices as required in § 60.5420b(b)(1) and (11). You must maintain records as specified in § 60.5420b(c)(11).

■ 30. Amend § 60.5420b by revising and republishing paragraphs (b), (c), and (d) introductory text to read as follows:

§ 60.5420b What are my notification, reporting, and recordkeeping requirements?

* * * * *

(b) *Reporting requirements.* You must submit annual reports containing the information specified in paragraphs (b)(1) through (14) of this section following the procedure specified in paragraph (b)(15) of this section. You must submit performance test reports as specified in paragraph (b)(12) or (13) of this section, if applicable. The initial annual report is due no later than 90 days after the end of the initial compliance period as determined according to § 60.5410b. Subsequent annual reports are due no later than the same date each year as the initial annual report. If you own or operate more than one affected facility, you may submit one report for multiple affected facilities provided the report contains all of the information required as specified in

paragraphs (b)(1) through (14) of this section. Annual reports may coincide with title V reports as long as all the required elements of the annual report are included. You may arrange with the Administrator a common schedule on which reports required by this part may be submitted as long as the schedule does not extend the reporting period. You must submit the information in paragraph (b)(1)(v) of this section, as applicable, for your well affected facility which undergoes a change of ownership during the reporting period, regardless of whether reporting under paragraphs (b)(2) through (4) of this section is required for the well affected facility.

(1) The general information specified in paragraphs (b)(1)(i) through (v) of this section is required for all reports.

(i) The company name, facility site name associated with the affected facility, U.S. Well ID or U.S. Well ID associated with the affected facility, if applicable, and address of the affected facility. If an address is not available for the site, include a description of the site location and provide the latitude and longitude coordinates of the site in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.

(ii) An identification of each affected facility being included in the annual report.

(iii) Beginning and ending dates of the reporting period.

(iv) A certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces the requirement in this paragraph (b)(1)(iv).

(v) Identification of each well affected facility for which ownership changed due to sale or transfer of ownership including the United States Well Number; the latitude and longitude coordinates of the well affected facility in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983; and the information in paragraph (b)(1)(v)(A) or (B) of this section, as applicable.

(A) The name and contact information, including the phone number, email address, and mailing address, of the owner or operator to which you sold or transferred ownership of the well affected facility

identified in paragraph (b)(1)(v) of this section.

(B) The name and contact information, including the phone number, email address, and mailing address, of the owner or operator from whom you acquired the well affected facility identified in paragraph (b)(1)(v) of this section.

(2) For each well affected facility that is subject to § 60.5375b(a) or (f), the records of each well completion operation conducted during the reporting period, including the information specified in paragraphs (b)(2)(i) through (xiv) of this section, if applicable. In lieu of submitting the records specified in paragraphs (b)(2)(i) through (xiv) of this section, the owner or operator may submit a list of each well completion with hydraulic fracturing completed during the reporting period, and the digital photograph required by paragraph (c)(1)(v) of this section for each well completion. For each well affected facility that routes all flowback entirely through one or more production separators, only the records specified in paragraphs (b)(2)(i) through (iv) and (vi) of this section are required to be reported. For periods where salable gas is unable to be separated, the records specified in paragraphs (b)(2)(iv) and (viii) through (xii) of this section must also be reported, as applicable. For each well affected facility that is subject to § 60.5375b(g), the record specified in paragraph (b)(2)(xv) of this section is required to be reported. For each well affected facility which makes a claim that the exemption in § 60.5375b(h) was met, the records specified in paragraph (b)(2)(i) through (iv) and (b)(2)(xvi) of this section are required to be reported.

(i) Well Completion ID.

(ii) Latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983.

(iii) U.S. Well ID.

(iv) The date and time of the onset of flowback following hydraulic fracturing or refracturing or identification that the well immediately starts production.

(v) The date and time of each attempt to direct flowback to a separator as required in § 60.5375b(a)(1)(ii).

(vi) The date and time that the well was shut in and the flowback equipment was permanently disconnected, or the startup of production.

(vii) The duration (in hours) of flowback.

(viii) The duration (in hours) of recovery and disposition of recovery (*i.e.*, routed to the gas flow line or collection system, re-injected into the well or another well, used as an onsite

fuel source, or used for another useful purpose that a purchased fuel or raw material would serve).

(ix) The duration (in hours) of combustion.

(x) The duration (in hours) of venting.

(xi) The specific reasons for venting in lieu of capture or combustion.

(xii) For any deviations recorded as specified in paragraph (c)(1)(ii) of this section, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation.

(xiii) For each well affected facility subject to § 60.5375b(f), a record of the well type (*i.e.*, wildcat well, delineation well, or low pressure well (as defined § 60.5430b)) and supporting inputs and calculations, if applicable.

(xiv) For each well affected facility for which you claim an exception under § 60.5375b(a)(2), the specific exception claimed and reasons why the well meets the claimed exception.

(xv) For each well affected facility with less than 300 scf of gas per stock tank barrel of oil produced, the supporting analysis that was performed in order to make that claim, including but not limited to, GOR values for established leases and data from wells in the same basin and field.

(xvi) For each well affected facility which meets the exemption in § 60.5375b(h), a statement that the well completion operation requirements of § 60.5375b(a)(1) through (3) were met.

(3) For each well affected facility that is subject to § 60.5376b(a)(1) or (2), your annual report is required to include the information specified in paragraphs (b)(3)(i) and (ii) of this section, as applicable.

(i) For each well affected facility where all gas well liquids unloading operations comply with § 60.5376b(a)(1), your annual report must include the information specified in paragraphs (b)(3)(i)(A) through (C) of this section, as applicable.

(A) Identification of each well affected facility (U.S. Well ID or U.S. Well ID associated with the well affected facility) that conducts a gas well liquid unloading operation during the reporting period using a method that does not vent to the atmosphere and the technology or technique used. If more than one non-venting technology or technique is used, you must identify all of the differing non-venting liquids unloading methods used during the reporting period.

(B) Number of gas well liquids unloading operations conducted during the year where the well affected facility identified in (b)(3)(i)(A) had unplanned venting to the atmosphere and best

management practices were conducted according to your best management practice plan, as required by § 60.5376b(c). If no venting events occurred, the number would be zero. Other reported information required to be submitted where unplanned venting occurs is specified in paragraphs (b)(3)(i)(B)(1) and (2) of this section.

(1) Log of best management practice plan steps used during the unplanned venting to minimize emissions to the maximum extent possible.

(2) The number of liquids unloading events during the year where deviations from your best management practice plan occurred, the date and time the deviation began, the duration of the deviation in hours, documentation of why best management practice plan steps were not followed, and what steps, in lieu of your best management practice plan steps, were followed to minimize emissions to the maximum extent possible.

(C) The number of liquids unloading events where unplanned emissions are vented to the atmosphere during a gas well liquids unloading operation where you complied with best management practices to minimize emissions to the maximum extent possible.

(ii) For each well affected facility where all gas well liquids unloading operations comply with § 60.5376b(b) and (c) best management practices, your annual report must include the information specified in paragraphs (b)(3)(ii)(A) through (E) of this section.

(A) Identification of each well affected facility that conducts a gas well liquids unloading during the reporting period.

(B) Number of liquids unloading events conducted during the reporting period.

(C) Log of best management practice plan steps used during the reporting period to minimize emissions to the maximum extent possible.

(D) The number of liquids unloading events during the year that best management practices were conducted according to your best management practice plan.

(E) The number of liquids unloading events during the year where deviations from your best management practice plan occurred, the date and time the deviation began, the duration of the deviation in hours, documentation of why best management practice plan steps were not followed, and what steps, in lieu of your best management practice plan steps, were followed to minimize emissions to the maximum extent possible.

(4) For each associated gas well subject to § 60.5377b, your annual report is required to include the

applicable information specified in paragraphs (b)(4)(i) through (vi) of this section, as applicable.

(i) For each associated gas well that complies with § 60.5377b(a)(1), (2), (3), or (4) your annual report is required to include the information specified in paragraphs (b)(4)(i)(A) and (B) of this section.

(A) An identification of each associated gas well constructed, modified, or reconstructed during the reporting period that complies with § 60.5377b(a)(1), (2), (3), or (4).

(B) The information specified in paragraphs (b)(2)(i)(B)(1) through (3) of this section for each incident when the associated gas was temporarily routed to a flare or control device in accordance with § 60.5377b(d).

(1) The reason in § 60.5377b(d)(1), (2), (3), or (4) for each incident.

(2) The start date and time of each incident of routing associated gas to the flare or control device, along with the total duration in hours of each incident.

(3) Documentation that all CVS requirements specified in § 60.5411b(a) and (c) and all applicable flare or control device requirements specified in § 60.5412b were met during each period when the associated gas is routed to the flare or control device.

(ii) For all instances where you temporarily vent the associated gas in accordance with § 60.5377b(e), you must report the information specified in paragraphs (b)(4)(ii)(A) through (D) of this section. This information is required to be reported if you are routinely complying with § 60.5377b(a) or § 60.5377b(f) or temporarily complying with § 60.5377b(d). In addition to this information for each incident, you must report the cumulative duration in hours of venting incidents and the cumulative VOC and methane emissions in pounds for all incidents in the calendar year.

(A) The reason in § 60.5377b(e)(1), (2), or (3) for each incident.

(B) The start date and time of each incident of venting the associated gas, along with the total duration in hours of each incident.

(C) The VOC and methane emissions in pounds that were emitted during each incident.

(D) The total duration of venting for all incidents in the year, along with the cumulative VOC and methane emissions in pounds that were emitted.

(iii) For each associated gas well that complies with the requirements of § 60.5377b(f) your annual report must include the information specified in paragraphs (b)(4)(iii)(A) through (E) of this section. The information in paragraphs (b)(4)(iii)(A) and (B) of this

section is only required in the initial annual report.

(A) An identification of each associated gas well that commenced construction between May 7, 2024, and May 7, 2026. This identification must include the certification of why it is infeasible to comply with § 60.5377b(a)(1), (2), (3), or (4) in accordance with § 60.5377b(g).

(B) An identification of each associated gas well that commenced construction between December 6, 2022, and May 7, 2024. This identification must include the certification of why it is infeasible to comply with § 60.5377b(a)(1), (2), (3), or (4) in accordance with § 60.5377b(g).

(C) An identification of each associated gas well modified or reconstructed during the reporting period that complies by routing the gas to a control device that reduces VOC and methane emissions by at least 95.0 percent. This identification must include the certification of why it is infeasible to comply with § 60.5377b(a)(1), (2), (3), or (4) in accordance with § 60.5377b(g).

(D) For each associated gas well that was constructed, modified or reconstructed in a previous reporting period that complies by routing the gas to a control device that reduces VOC and methane emissions by at least 95.0 percent, a re-certification of why it is infeasible to comply with § 60.5377b(a)(1), (2), (3), or (4) in accordance with § 60.5377b(g).

(E) The information specified in paragraphs (b)(11)(i) through (iv) of this section.

(iv) If you comply with § 60.5377b(f) with a control device, identification of the associated gas well using the control device and the information in paragraph (b)(11)(v) of this section.

(v) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.

(vi) For each deviation recorded as specified in paragraph (c)(3)(v) of this section, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(5) For each wet seal centrifugal compressor affected facility, the information specified in paragraphs (b)(5)(i) through (v) of this section. For each self-contained wet seal centrifugal compressor, Alaska North Slope centrifugal compressor equipped with

sour seal oil separator and capture system, or dry seal centrifugal compressor affected facility, the information specified in paragraphs (b)(5)(vi) through (ix) of this section.

(i) An identification of each centrifugal compressor constructed, modified, or reconstructed during the reporting period.

(ii) For each deviation that occurred during the reporting period and recorded as specified in paragraph (c)(4) of this section, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(iii) If required to comply with § 60.5380b(a)(2) or (3), the information specified in paragraphs (b)(11)(i) through (iv) of this section, as applicable.

(iv) If complying with § 60.5380b(a)(1) with a control device, identification of the centrifugal compressor with the control device and the information in paragraph (b)(11)(v) of this section.

(v) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.

(vi) If complying with § 60.5380b(a)(4), (5), or (6) for a self-contained wet seal centrifugal compressor, Alaska North Slope centrifugal compressor equipped with sour seal oil separator and capture system, or dry seal centrifugal compressor requirements, the cumulative number of hours of operation since initial startup, since May 7, 2024, or since the previous volumetric flow rate emissions measurement, as applicable, which have elapsed prior to conducting your volumetric flow rate emission measurement or emissions screening.

(vii) A description of the method used and the results of the volumetric emissions measurement or emissions screening, as applicable.

(viii) Number and type of seals on delay of repair and explanation for each delay of repair.

(ix) Date of planned shutdown(s) that occurred during the reporting period if there are any seals that have been placed on delay of repair.

(6) For each reciprocating compressor affected facility, the information specified in paragraphs (b)(6)(i) through (vii) of this section, as applicable.

(i) The cumulative number of hours of operation since initial startup, since May 7, 2024, since the previous

volumetric flow rate measurement, or since the previous reciprocating compressor rod packing replacement, as applicable, which have elapsed prior to conducting your volumetric flow rate measurement or emissions screening. Alternatively, a statement that emissions from the rod packing are being routed to a process or control device through a closed vent system.

(ii) If applicable, for each deviation that occurred during the reporting period and recorded as specified in paragraph (c)(5)(i) of this section, the date and time the deviation began, duration of the deviation in hours and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(iii) A description of the method used and the results of the volumetric flow rate measurement or emissions screening, as applicable.

(iv) If complying with § 60.5385b(d)(1) or (2), the information in paragraphs (b)(11)(i) through (iv) of this section. If complying by routing emissions to a control device, as required in § 60.5385b(d)(2), the information in paragraph (b)(11)(v) of this section.

(v) Number and type of rod packing replacements/repairs on delay of repair and explanation for each delay of repair.

(vi) Date of planned shutdown(s) that occurred during the reporting period if there are any rod packing replacements/repairs that have been placed on delay of repair.

(vii) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.

(7) For each process controller affected facility, the information specified in paragraphs (b)(7)(i) through (iii) of this section in your initial annual report and in subsequent annual reports for each process controller affected facility that is constructed, modified, or reconstructed during the reporting period. Each annual report must contain the information specified in paragraphs (b)(7)(iv) through (x) of this section for each process controller affected facility.

(i) An identification of each process controller that is driven by natural gas, as required by § 60.5390b(d), that allows traceability to the records required in paragraph (c)(6)(i) of this section.

(ii) For each process controller in the affected facility complying with § 60.5390b(a), you must report the information specified in paragraphs

(b)(7)(ii)(A) and (B) of this section, as applicable.

(A) An identification of each process controller complying with § 60.5390b(a) by routing the emissions to a process.

(B) An identification of each process controller complying with § 60.5390b(a) by using a self-contained natural gas-driven process controller.

(iii) For each process controller affected facility located at a site in Alaska that does not have access to electrical power and that complies with § 60.5390b(b), you must report the information specified in paragraphs (b)(7)(iii)(A), (B), or (C) of this section, as applicable.

(A) For each process controller complying with § 60.5390b(b)(1) process controller bleed rate requirements, you must report the information specified in paragraphs (b)(7)(iii)(A)(1) and (2) of this section.

(1) The identification of process controllers designed and operated to achieve a bleed rate less than or equal to 6 scfh.

(2) Where necessary to meet a functional need, the identification and demonstration why it is necessary to use a process controller with a natural gas bleed rate greater than 6 scfh.

(B) An identification of each intermittent vent process controller complying with the requirements in paragraph § 60.5390b(b)(2).

(C) An identification of each process controller complying with the requirements in § 60.5390b(b) by routing emissions to a control device in accordance with § 60.5390b(b)(3).

(iv) Identification of each process controller which changes its method of compliance during the reporting period and the applicable information specified in paragraphs (b)(7)(v) through (ix) of this section for the new method of compliance.

(v) For each process controller in the affected facility complying with the requirements of § 60.5390b(a) by routing the emissions to a process, you must report the information specified in (b)(11)(i) through (iii) of this section.

(vi) For each process controller in the affected facility complying with the requirements of § 60.5390b(a) by using a self-contained natural gas-driven process controller, you must report the information specified in paragraphs (b)(7)(vi)(A) and (B) of this section.

(A) Dates of each inspection required under § 60.5416b(b); and

(B) Each defect or leak identified during each natural gas-driven-self-contained process controller system inspection, and the date of repair or date of anticipated repair if repair is delayed.

(vii) For each process controller in the affected facility complying with the requirements of § 60.5390b(b)(2), you must report the information specified in paragraphs (b)(7)(vii)(A) and (B) of this section.

(A) Dates and results of the intermittent vent process controller monitoring required by § 60.5390b(b)(2)(ii).

(B) For each instance in which monitoring identifies emissions to the atmosphere from an intermittent vent controller during idle periods, the date of repair or replacement or the date of anticipated repair or replacement if the repair or replacement is delayed, and the date and results of the re-survey after repair or replacement.

(viii) For each process controller affected facility complying with § 60.5390b(b)(3) by routing emissions to a control device, you must report the information specified in paragraph (b)(11) of this section.

(ix) For each deviation that occurred during the reporting period, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(x) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(7)(vi) and (vii) and (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.

(8) For each storage vessel affected facility, the information in paragraphs (b)(8)(i) through (x) of this section.

(i) An identification, including the location, of each storage vessel affected facility, including those for which construction, modification, or reconstruction commenced during the reporting period, and those provided in previous reports. The location of the storage vessel affected facility shall be in latitude and longitude coordinates in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.

(ii) Documentation of the methane and VOC emission rate determination according to § 60.5365b(e)(1) for each tank battery that became an affected facility during the reporting period or is returned to service during the reporting period.

(iii) For each deviation that occurred during the reporting period and recorded as specified in paragraph (c)(7)(iii) of this section, the date and time the deviation began, duration of

the deviation in hours and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(iv) For each storage vessel affected facility constructed, modified, reconstructed, or returned to service during the reporting period complying with § 60.5395b(a)(2) with a control device, report the identification of the storage vessel affected facility with the control device and the information in paragraph (b)(11)(v) of this section.

(v) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.

(vi) If required to comply with § 60.5395b(b)(1), the information in paragraphs (b)(11)(i) through (iv) of this section.

(vii) You must identify each storage vessel affected facility that is removed from service during the reporting period as specified in § 60.5395b(c)(1)(ii), including the date the storage vessel affected facility was removed from service. You must identify each storage vessel that that is removed from service from a storage vessel affected facility during the reporting period as specified in § 60.5395b(c)(2)(iii), including identifying the impacted storage vessel affected facility and the date each storage vessel was removed from service.

(viii) You must identify each storage vessel affected facility or portion of a storage vessel affected facility returned to service during the reporting period as specified in § 60.5395b(c)(4), including the date the storage vessel affected facility or portion of a storage vessel affected facility was returned to service.

(ix) You must identify each storage vessel affected facility that no longer complies with § 60.5395b(a)(3) and instead complies with § 60.5395b(a)(2). You must identify whether the change in the method of compliance was due to fracturing or refracturing or whether the change was due to an increase in the monthly emissions determination. If the change was due to an increase in the monthly emissions determination, you must provide documentation of the emissions rate. You must identify the date that you complied with § 60.5395b(a)(2) and must submit the information in (b)(8)(iii) through (vii) of this section.

(x) You must submit a statement that you are complying with § 60.112b(a)(1) or (2), if applicable, in your initial annual report.

(9) For the fugitive emissions components affected facility, report the information specified in paragraphs (b)(9)(i) through (v) of this section, as applicable.

(i)(A) Designation of the type of site (*i.e.*, well site, centralized production facility, or compressor station) at which the fugitive emissions components affected facility is located.

(B) For the fugitive emissions components affected facility at a well site or centralized production facility that became an affected facility during the reporting period, you must include the date of the startup of production or the date of the first day of production after modification. For the fugitive emissions components affected facility at a compressor station that became an affected facility during the reporting period, you must include the date of startup or the date of modification.

(C) For the fugitive emissions components affected facility at a well site, you must specify what type of well site it is (*i.e.*, single wellhead only well site, small wellsite, multi-wellhead only well site, or a well site with major production and processing equipment).

(D) For the fugitive emissions components affected facility at a well site where during the reporting period you complete the removal of all major production and processing equipment such that the well site contains only one or more wellheads, you must include the date of the change to status as a wellhead only well site.

(E) For the fugitive emissions components affected facility at a well site where you previously reported under paragraph (b)(9)(i)(D) of this section the removal of all major production and processing equipment and during the reporting period major production and processing equipment is added back to the well site, the date that the first piece of major production and processing equipment is added back to the well site.

(F) For the fugitive emissions components affected facility at a well site where during the reporting period you undertake well closure requirements, the date of the cessation of production from all wells at the well site, the date you began well closure activities at the well site, and the dates of the notifications submitted in accordance with paragraph (a)(4) of this section.

(ii) For each fugitive emissions monitoring survey performed during the annual reporting period, the information specified in paragraphs (b)(9)(ii)(A) through (G) of this section.

(A) Date of the survey.

(B) Monitoring instrument or, if the survey was conducted by AVO methods, notation that AVO was used.

(C) Any deviations from the monitoring plan elements under § 60.5397b(c)(1), (2), and (7), (c)(8)(i), or (d) or a statement that there were no deviations from these elements of the monitoring plan.

(D) Number and type of components for which fugitive emissions were detected.

(E) Number and type of fugitive emissions components that were not repaired as required in § 60.5397b(h).

(F) Number and type of fugitive emission components (including designation as difficult-to-monitor or unsafe-to-monitor, if applicable) on delay of repair and explanation for each delay of repair.

(G) Date of planned shutdown(s) that occurred during the reporting period if there are any components that have been placed on delay of repair.

(iii) For the fugitive emissions components affected facility complying with an alternative fugitive emissions standard under § 60.5399b, in lieu of the information specified in paragraphs (b)(9)(i) and (ii) of this section, you must provide the information specified in paragraphs (b)(9)(iii)(A) through (C) of this section.

(A) The alternative standard with which you are complying.

(B) The site-specific reports specified by the specific alternative fugitive emissions standard, submitted in the format in which they were submitted to the state, local, or Tribal authority. If the report is in hard copy, you must scan the document and submit it as an electronic attachment to the annual report required in paragraph (b) of this section.

(C) If the report specified by the specific alternative fugitive emissions standard is not site-specific, you must submit the information specified in paragraphs (b)(9)(i) and (ii) of this section for each individual site complying with the alternative standard.

(iv) For well closure activities which occurred during the reporting period, the information in paragraphs (b)(9)(iv)(A) and (B) of this section.

(A) A status report with dates for the well closure activities schedule developed in the well closure plan. If all steps in the well closure plan are completed in the reporting period, the date that all activities are completed.

(B) If an OGI survey is conducted during the reporting period, the information in paragraphs (b)(9)(iv)(B)(1) through (3) of this section.

(1) Date of the OGI survey.

(2) Monitoring instrument used.

(3) A statement that no fugitive emissions were found, or if fugitive emissions were found, a description of the steps taken to eliminate those emissions, the date of the resurvey, the results of the resurvey, and the date of the final resurvey which detected no emissions.

(v) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(9)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.

(10) For each pump affected facility, the information specified in paragraphs (b)(10)(i) through (iv) of this section in your initial annual report and in subsequent annual reports for each pump affected facility that is constructed, modified, or reconstructed during the reporting period. Each annual report must contain the information specified in paragraphs (b)(10)(v) through (ix) of this section for each pump affected facility.

(i) The identification of each of your pumps that are driven by natural gas, as required by § 60.5393b(a) that allows traceability to the records required by paragraph (c)(15)(i) of this section.

(ii) For each pump affected facility for which there is a control device on site but it does not achieve a 95.0 percent emissions reduction, the certification that there is a control device available on site but it does not achieve a 95.0 percent emissions reduction required under § 60.5393b(b)(5). You must also report the emissions reduction percentage the control device is designed to achieve.

(iii) For each pump affected facility for which there is no control device or vapor recovery unit on site, the certification required under § 60.5393b(b)(6) that there is no control device or vapor recovery unit on site.

(iv) For each pump affected facility for which it is technically infeasible to route the emissions to a process or control device, the certification of technical infeasibility required under § 60.5393b(b)(7).

(v) For any pump affected facility which has previously reported as required under paragraph (b)(10)(i) through (iv) of this section and for which a change in the reported condition has occurred during the reporting period, provide the identification of the pump affected facility and the date that the pump affected facility meets one of the change conditions described in paragraphs (b)(10)(v)(A), (B), or (C) of this section.

(A) If you install a control device or vapor recovery unit, you must report that a control device or vapor recovery unit has been added to the site and that the pump affected facility now is required to comply with § 60.5393b(b)(2), (3) or (5), as applicable.

(B) If your pump affected facility previously complied with § 60.5393b(b)(2), (3) or (5) by routing emissions to a process or a control device and the process or control device is subsequently removed from the site or is no longer available such that there is no ability to route the emissions to a process or control device at the site, or that it is not technically feasible to capture and route the emissions to another control device or process located on site, report that you are no longer complying with the applicable requirements of § 60.5393b(b)(2), (3), or (5) and submit the information provided in paragraphs (b)(10)(v)(B)(1) or (2) of this section.

(1) Certification that there is no control device or vapor recovery unit on site.

(2) Certification of the engineering assessment that it is technically infeasible to capture and route the emissions to another control device or process located on site.

(C) If any pump affected facility or individual natural gas-driven pump changes its method of compliance during the reporting period other than for the reasons specified in paragraphs (10)(v)(A) and (B) of this section, identify the new compliance method for each natural gas-driven pump within the affected facility which changes its method of compliance during the reporting period and provide the applicable information specified in paragraphs (b)(10)(ii) through (iv) and (vi) through (viii) of this section for the new method of compliance.

(vi) For each pump affected facility complying with the requirements of § 60.5393b(a), (b)(1), or (b)(3) by routing the emissions to a process, you must report the information specified in paragraphs (b)(11)(i) through (iv) of this section.

(vii) For each pump affected facility complying with the requirements of § 60.5393b(b)(3) or (5) by routing the emissions to a control device, you must report the information required under paragraphs (b)(11)(i) through (v) of this section.

(viii) For each deviation that occurred during the reporting period, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement

that no deviations occurred during the reporting period.

(ix) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (b)(11)(i) and (ii) of this section, you must provide the information specified in § 60.5424b.

(11) For each well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facility which uses a closed vent system routed to a control device to meet the emissions reduction standard, you must submit the information in paragraphs (b)(11)(i) through (v) of this section. For each reciprocating compressor, process controller, pump, storage vessel, or process unit equipment which uses a closed vent system to route to a process, you must submit the information in paragraphs (b)(11)(i) through (iv) of this section. For each centrifugal compressor, reciprocating compressor, and storage vessel equipped with a cover, you must submit the information in paragraphs (b)(11)(i) and (ii) of this section.

(i) Dates of each inspection required under § 60.5416b(a) and (b).

(ii) Each defect or emissions identified during each inspection and the date of repair or the date of anticipated repair if the repair is delayed.

(iii) Date and time of each bypass alarm or each instance the key is checked out if you are subject to the bypass requirements of § 60.5416b(a)(4).

(iv) You must submit the certification signed by the qualified professional engineer or in-house engineer according to § 60.5411b(c) for each closed vent system routing to a control device or process in the reporting year in which the certification is signed.

(v) If you comply with the emissions standard for your well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment affected facility with a control device, the information in paragraphs (b)(11)(v)(A) through (L) of this section, unless you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d). If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), the information in paragraphs (b)(11)(v)(A) through (C) and (L) through (P) of this section.

(A) Identification of the control device.

(B) Make, model, and date of installation of the control device.

(C) Identification of the affected facility controlled by the device.

(D) For each continuous parameter monitoring system used to demonstrate compliance for the control device, a unique continuous parameter monitoring system identifier and the make, model number, and date of last calibration check of the continuous parameter monitoring system.

(E) For each instance where there is a deviation of the control device in accordance with § 60.5417b(g)(1) through (3) or (g)(5) through (7) include the date and time the deviation began, the duration of the deviation in hours, the type of the deviation (e.g., NHV operating limit, lack of pilot or combustion flame, condenser efficiency, bypass line flow, visible emissions), and cause of the deviation.

(F) For each instance where there is a deviation of the continuous parameter monitoring system in accordance with § 60.5417b(g)(4) include the date and time the deviation began, the duration of the deviation in hours, and cause of the deviation.

(G) For each visible emissions test following return to operation from a maintenance or repair activity, the date of the visible emissions test or observation of the video surveillance output, the length of the observation in minutes, and the number of minutes for which visible emissions were present.

(H) If a performance test was conducted on the control device during the reporting period, provide the date the performance test was conducted. Submit the performance test report following the procedures specified in paragraph (b)(12) of this section.

(I) If a demonstration of the NHV of the inlet gas to the enclosed combustion device or flare was conducted during the reporting period in accordance with § 60.5417b(d)(8)(iii), an indication of whether this is a re-evaluation of vent gas NHV and the reason for the re-evaluation; the applicable required minimum vent gas NHV; if twice daily samples of the vent stream were taken, the number of hourly average NHV values that are less than 1.2 times the applicable required minimum NHV; if continuous NHV sampling of the vent stream was conducted, the number of hourly average NHV values that are less than the required minimum vent gas NHV; if continuous combustion efficiency monitoring was conducted using an alternative test method approved under § 60.5412b(d), the number of values of the combustion efficiency that were less than 95.0 percent; the resulting determination of whether NHV monitoring is required or not in accordance with

§ 60.5417b(d)(8)(iii)(D) or (H); and an indication of whether the enclosed combustion device or flare has the potential to receive inert gases, and if so, whether the sampling included periods where the highest percentage of inert gases were sent to the enclosed combustion device or flare.

(J) If a demonstration was conducted in accordance with § 60.5417b(d)(8)(iv) that the maximum potential pressure of units manifolded to an enclosed combustion device or flare cannot cause the maximum inlet flow rate established in accordance with § 60.5417b(f)(1) or a flare tip velocity limit of 18.3 meter/second (60 feet/second) to be exceeded, an indication of whether this is a re-evaluation of the gas flow and the reason for the re-evaluation; the demonstration conducted; and applicable engineering calculations.

(K) For each periodic sampling event conducted under § 60.5417b(d)(8)(iii)(G), provide the date of the sampling, the required minimum vent gas NHV, and the NHV value for each vent gas sample.

(L) For each flare and enclosed combustion device, provide the date each device is observed with OGI in accordance with § 60.5415b(f)(1)(x) and whether uncombusted emissions were present. Provide the date each device was visibly observed during an AVO inspection in accordance with § 60.5415b(f)(1)(x), whether the pilot or combustion flame was lit at the time of observation, and whether the device was found to be operating properly.

(M) An identification of the alternative test method used.

(N) For each instance where there is a deviation of the control device in accordance with § 60.5417b(i)(6)(i) or (iii) through (v) include the date and time the deviation began, the duration of the deviation in hours, the type of the deviation (e.g., NHV_{cz} operating limit, lack of pilot or combustion flame, visible emissions), and cause of the deviation.

(O) For each instance where there is a deviation of the data availability in accordance with § 60.5417b(i)(6)(ii) include the date of each operating day when monitoring data are not available for at least 75 percent of the operating hours.

(P) If no deviations occurred under paragraphs (b)(11)(v)(N) or (O) of this section, a statement that there were no deviations for the control device during the annual report period.

(Q) Any additional information required to be reported as specified by the Administrator as part of the alternative test method approval under § 60.5412b(d).

(12) Within 60 days after the date of completing each performance test (see § 60.8) required by this subpart, except testing conducted by the manufacturer as specified in § 60.5413b(d), you must submit the results of the performance test following the procedures specified in paragraph (d) of this section. Data collected using test methods that are 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>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. 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 must be included as an attachment in the ERT or alternate electronic file.

(13) For combustion control devices tested by the manufacturer in accordance with § 60.5413b(d), an electronic copy of the performance test results required by § 60.5413b(d) shall be submitted via email to Oil_and_Gas_PT@EPA.GOV unless the test results for that model of combustion control device are posted at the following website: <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry>.

(14) If you had a super-emitter event during the reporting period, the start date of the super-emitter event, the duration of the super-emitter event in hours, and the affected facility associated with the super-emitter event, if applicable.

(15) You must submit your annual report using the appropriate electronic report template on the Compliance and Emissions Data Reporting Interface (CEDRI) website for this subpart and following the procedure specified in paragraph (d) of this section. If the reporting form specific to this subpart is not available on the CEDRI website at the time that the report is due, you must submit the report to the Administrator at the appropriate address listed in § 60.4. Once the form has been available on the CEDRI website for at least 90 calendar days, you must begin submitting all subsequent reports via CEDRI. The date reporting forms become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart,

regardless of the method in which the report is submitted.

(c) *Recordkeeping requirements.* You must maintain the records identified as specified in § 60.7(f) and in paragraphs (c)(1) through (15) of this section. All records required by this subpart must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

(1) The records for each well affected facility subject to the well completion operation standards of § 60.5375b, as specified in paragraphs (c)(1)(i) through (vii) of this section, as applicable. For each well affected facility subject to the well completion operations of § 60.5375b, for which you make a claim that the well affected facility is not subject to the requirements for well completions pursuant to § 60.5375b(g), you must maintain the record in paragraph (c)(1)(vi) of this section, only. For each well affected facility which meets the exemption in § 60.5375b(h) for well completion operations (*i.e.*, an existing well is hydraulically refractured), you must maintain the records in paragraph (c)(1)(viii), only. For each well affected facility that routes flowback entirely through one or more production separators that are designed to accommodate flowback, only records of the United States Well Number, the latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983, the Well Completion ID, and the date and time of startup of production are required. For periods where salable gas is unable to be separated, records of the date and time of onset of flowback, the duration and disposition of recovery, the duration of combustion and venting (if applicable), reasons for venting (if applicable), and deviations are required.

(i) Records identifying each well completion operation for each well affected facility.

(ii) Records of deviations in cases where well completion operations with hydraulic fracturing were not performed in compliance with the requirements specified in § 60.5375b, including the date and time the deviation began, the duration of the deviation, and a description of the deviation.

(iii) You must maintain the records specified in paragraphs (c)(1)(iii)(A) through (C) of this section.

(A) For each well affected facility required to comply with the requirements of § 60.5375b(a), you must record: The latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number; the date and time of the onset of flowback following hydraulic fracturing or refracturing; the date and time of each attempt to direct flowback to a separator as required in § 60.5375b(a)(1)(ii); the date and time of each occurrence of returning to the initial flowback stage under § 60.5375b(a)(1)(i); and the date and time that the well was shut in and the flowback equipment was permanently disconnected, or the startup of production; the duration of flowback; duration of recovery and disposition of recovery (*i.e.*, routed to the gas flow line or collection system, re-injected into the well or another well, used as an onsite fuel source, or used for another useful purpose that a purchased fuel or raw material would serve); duration of combustion; duration of venting; and specific reasons for venting in lieu of capture or combustion. The duration must be specified in hours. In addition, for wells where it is technically infeasible to route the recovered gas as specified in § 60.5375b(a)(1)(ii), you must record the reasons for the claim of technical infeasibility with respect to all four options provided in § 60.5375b(a)(1)(ii).

(B) For each well affected facility required to comply with the requirements of § 60.5375b(f), you must record: Latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number; the date and time of the onset of flowback following hydraulic fracturing or refracturing; the date and time that the well was shut in and the flowback equipment was permanently disconnected, or the startup of production; the duration of flowback; duration of combustion; duration of venting; and specific reasons for venting in lieu of combustion. The duration must be specified in hours.

(C) For each well affected facility for which you make a claim that it meets the criteria of § 60.5375b(a)(1)(iii)(A), you must maintain the following:

(1) The latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of

1983; the United States Well Number; the date and time of the onset of flowback following hydraulic fracturing or refracturing; the date and time that the well was shut in and the flowback equipment was permanently disconnected, or the startup of production; the duration of flowback; duration of recovery and disposition of recovery (*i.e.*, routed to the gas flow line or collection system, re-injected into the well or another well, used as an onsite fuel source, or used for another useful purpose that a purchased fuel or raw material would serve); duration of combustion; duration of venting; and specific reasons for venting in lieu of capture or combustion. The duration must be specified in hours.

(2) If applicable, records that the conditions of § 60.5375b(a)(1)(iii)(A) are no longer met and that the well completion operation has been stopped and a separator installed. The records shall include the date and time the well completion operation was stopped and the date and time the separator was installed.

(3) A record of the claim signed by the certifying official that no liquids collection is at the well site. The claim must include a certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(iv) For each well affected facility for which you claim an exception under § 60.5375b(a)(2), you must record: The latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number; the specific exception claimed; the starting date and ending date for the period the well operated under the exception; and an explanation of why the well meets the claimed exception.

(v) For each well affected facility required to comply with both § 60.5375b(a)(1) and (2), if you are using a digital photograph in lieu of the records required in paragraphs (c)(1)(i) through (iv) of this section, you must retain the records of the digital photograph as specified in § 60.5410b(a)(4).

(vi) For each well affected facility for which you make a claim that the well affected facility is not subject to the well completion standards according to § 60.5375b(g), you must maintain:

(A) A record of the analysis that was performed in order to make that claim, including but not limited to, GOR

values for established leases and data from wells in the same basin and field;

(B) The latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number;

(C) A record of the claim signed by the certifying official. The claim must include a certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(vii) For each well affected facility subject to § 60.5375b(f), a record of the well type (*i.e.*, wildcat well, delineation well, or low pressure well (as defined § 60.5430b)) and supporting inputs and calculations, if applicable.

(viii) For each well affected facility which makes a claim it meets the exemption at § 60.5375b(h), a record of the latitude and longitude of the well in decimal degrees to an accuracy and precision of five (5) decimals of a degree using North American Datum of 1983; the United States Well Number; the date and time of the onset of flowback following hydraulic fracturing or refracturing and a record of the claim that the well completion operation requirements of § 60.5375b(a)(1) through (3) were met.

(2) For each gas well liquids unloading operation at your well affected facility that is subject to § 60.5376b(a)(1) or (2), the records of each gas well liquids unloading operation conducted during the reporting period, including the information specified in paragraphs (c)(2)(i) through (iii) of this section, as applicable.

(i) For each gas well liquids unloading operation that complies with § 60.5376b(a)(1) by performing all liquids unloading events without venting of methane and VOC emissions to the atmosphere, comply with the recordkeeping requirements specified in paragraphs (c)(2)(i)(A) and (B) of this section.

(A) Identification of each well (*i.e.*, U.S. Well ID or U.S. Well ID associated with the well affected facility) that conducts a gas well liquids unloading operation during the reporting period without venting of methane and VOC emissions and the non-venting methane and VOC gas well liquids unloading method used. If more than one non-venting method is used, you must maintain records of all the differing non-venting liquids unloading methods

used at the well affected facility complying with § 60.5376b(a)(1).

(B) Number of events where unplanned emissions are vented to the atmosphere during a gas well liquids unloading operation where you complied with best management practices to minimize emissions to the maximum extent possible.

(ii) For each gas well liquids unloading operation that complies with § 60.5376b(b) and (c) best management practices, maintain records documenting information specified in paragraphs (c)(2)(ii)(A) through (D) of this section.

(A) Identification of each well affected facility that conducts liquids unloading during the reporting period that employs best management practices to minimize emissions to the maximum extent possible.

(B) Documentation of your best management practice plan developed under paragraph § 60.5376b(c). You may update your best management practice plan to include additional steps which meet the criteria in § 60.5376b(c).

(C) A log of each best management practice plan step taken to minimize emissions to the maximum extent possible for each gas well liquids unloading event.

(D) Documentation of each gas well liquids unloading event where deviations from your best management practice plan steps occurred, the date and time the deviation began, the duration of the deviation, documentation of best management practice plan steps not followed, and the steps taken in lieu of your best management practice plan steps during those events to minimize emissions to the maximum extent possible.

(iii) For each well affected facility that reduces methane and VOC emissions from well affected facility gas wells that unload liquids by 95.0 percent by routing emissions to a control device through closed vent system under § 60.5376b(g), you must maintain the records in paragraphs (c)(2)(iii)(A) through (E) of this section.

(A) If you comply with the emission reduction standard with a control device, the information for each control device in paragraph (c)(11) of this section.

(B) Records of the closed vent system inspection as specified paragraph (c)(8) of this section.

(C) Records of the cover inspections as specified in paragraph (c)(9) of this section.

(D) If applicable, the records of bypass monitoring as specified in paragraph (c)(10) of this section.

(E) Records of the closed vent system assessment as specified in paragraph (c)(12) of this section.

(3) For each associated gas well, you must maintain the applicable records specified in paragraphs (c)(3)(i) or (ii) and (c)(3)(iv) of this section.

(i) For each associated gas well that complies with the requirements of § 60.5377b(a)(1), (2), (3), or (4), you must keep the records specified in paragraphs (c)(3)(i)(A) and (B).

(A) Documentation of the specific method(s) in § 60.5377b(a)(1), (2), (3), or (4) that is used.

(B) For instances where you temporarily route the associated gas to a flare or control device in accordance with § 60.5377b(d), you must keep the records specified in paragraphs (c)(3)(i)(B)(1) through (3).

(1) The reason in § 60.5377b(d)(1), (2), (3), or (4) for each incident.

(2) The date of each incident, along with the times when routing the associated gas to the flare or control device started and ended, along with the total duration of each incident.

(3) Documentation that all CVS requirements specified in § 60.5411b(a) and (c) and all applicable flare or control device requirements specified in § 60.5412b are met during each period when the associated gas is routed to the flare or control device.

(ii) For instances where you temporarily vent the associated gas in accordance with § 60.5377b(e), you must keep the records specified in paragraphs (c)(3)(ii)(A) through (D). These records are required if you are routinely complying with § 60.5377b(a) or § 60.5377b(f) or temporarily complying with § 60.5377b(d).

(A) The reason in § 60.5377b(e)(1), (2), or (3) for each incident.

(B) The date of each incident, along with the times when venting the associated gas started and ended, along with the total duration of each incident.

(C) The VOC and methane emissions that were emitted during each incident.

(D) The cumulative duration of venting incidents and VOC and methane emissions for all incidents in each calendar year.

(iii) For each associated gas well that complies with the requirements of § 60.5377b(f) because it has demonstrated that it is not feasible to comply with § 60.5377b(a)(1), (2), (3), and (4) due to technical reasons in accordance with § 60.5377b(g), records of each annual demonstration and certification of the technical reason that it is not feasible to comply with § 60.5377b(a)(1), (2), (3), and (4) in accordance with § 60.5377b(g).

(iv) For each associated gas well that complies with the requirements of § 60.5377b(f), meet the recordkeeping requirements specified in paragraphs (c)(3)(iv)(A) through (E).

(A) Identification of each instance when associated gas was vented and not routed to a control device that reduces VOC and methane emissions by at least 95.0 percent.

(B) If you comply with the emission reduction standard in § 60.5377b with a control device, the information for each control device in paragraphs (c)(11) and (13) of this section.

(C) Records of the closed vent system inspection as specified paragraph (c)(8) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must maintain records of the information specified in § 60.5424b.

(D) If applicable, the records of bypass monitoring as specified in paragraph (c)(10) of this section.

(E) Records of the closed vent system assessment as specified in paragraph (c)(12) of this section.

(v) Records of each deviation, the date and time the deviation began, the duration of the deviation, and a description of the deviation.

(4) For each centrifugal compressor affected facility, you must maintain the records specified in paragraphs (c)(4)(i) through (iii) of this section.

(i) For each centrifugal compressor affected facility, you must maintain records of deviations in cases where the centrifugal compressor was not operated in compliance with the requirements specified in § 60.5380b, including a description of each deviation, the date and time each deviation began and the duration of each deviation.

(ii) For each wet seal compressor complying with the emissions reduction standard in § 60.5380b(a)(1), you must maintain the records in paragraphs (c)(4)(ii)(A) through (E) of this section.

For each wet seal compressor complying with the alternative standard in § 60.5380b(a)(3) by routing the closed vent system to a process, you must maintain the records in paragraphs (c)(4)(ii)(B) through (E) of this section.

(A) If you comply with the emission reduction standard in § 60.5380b(a)(1) with a control device, the information for each control device in paragraph (c)(11) of this section.

(B) Records of the closed vent system inspection as specified paragraph (c)(8) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8)

of this section, you must maintain the information specified in § 60.5424b.

(C) Records of the cover inspections as specified in paragraph (c)(9) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (c)(9) of this section, you must maintain the information specified in § 60.5424b.

(D) If applicable, the records of bypass monitoring as specified in paragraph (c)(10) of this section.

(E) Records of the closed vent system assessment as specified in paragraph (c)(12) of this section.

(iii) For each centrifugal compressor affected facility using a self-contained wet seal compressor, centrifugal compressor equipped with sour seal oil separator and capture system, or dry seal compressor complying with the standard in § 60.5380b(a)(4), (5) or (6), you must maintain the records specified in paragraphs (c)(4)(iii)(A) through (H) of this section.

(A) Records of the cumulative number of hours of operation since initial startup, since May 7, 2024, or since the previous volumetric flow rate measurement, as applicable.

(B) A description of the method used and the results of the volumetric flow rate measurement or emissions screening, as applicable.

(C) Records for all flow meters, composition analyzers and pressure gauges used to measure volumetric flow rates as specified in paragraphs (c)(4)(iii)(C)(1) through (6).

(1) Description of standard method published by a consensus-based standards organization or industry standard practice.

(2) Records of volumetric flow rate emissions calculations conducted according to paragraphs § 60.5380b(a)(4) through (6), as applicable.

(3) Records of manufacturer's operating procedures and measurement methods.

(4) Records of manufacturer's recommended procedures or an appropriate industry consensus standard method for calibration and results of calibration, recalibration, and accuracy checks.

(5) Records which demonstrate that measurements at the remote location(s) can, when appropriate correction factors are applied, reliably and accurately represent the actual temperature or total pressure at the flow meter under all expected ambient conditions. You must include the date of the demonstration, the data from the demonstration, the mathematical correlation(s) between the remote readings and actual flow meter conditions derived from the data, and

any supporting engineering calculations. If adjustments were made to the mathematical relationships, a record and description of such adjustments.

(6) Record of each initial calibration or a recalibration which failed to meet the required accuracy specification and the date of the successful recalibration.

(D) Date when performance-based volumetric flow rate is exceeded.

(E) The date of successful repair of the compressor seal, including follow-up performance-based volumetric flow rate measurement to confirm successful repair.

(F) Identification of each compressor seal placed on delay of repair and explanation for each delay of repair.

(G) For each compressor seal or part needed for repair placed on delay of repair because of replacement seal or part unavailability, the operator must document: the date the seal or part was added to the delay of repair list, the date the replacement seal or part was ordered, the anticipated seal or part delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the seal or part.

(H) Date of planned shutdowns that occur while there are any seals or parts that have been placed on delay of repair.

(5) For each reciprocating compressor affected facility, you must maintain the records in paragraphs (c)(5)(i) through (x) and (c)(8) through (13) of this section, as applicable. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.

(i) For each reciprocating compressor affected facility, you must maintain records of deviations in cases where the reciprocating compressor was not operated in compliance with the requirements specified in § 60.5385b, including a description of each deviation, the date and time each deviation began and the duration of each deviation in hours.

(ii) Records of the date of installation of a rod packing emissions collection system and closed vent system as specified in § 60.5385b(d).

(iii) Records of the cumulative number of hours of operation since initial startup, since May 7, 2024, or since the previous volumetric flow rate measurement, as applicable. Alternatively, a record that emissions from the rod packing are being routed to a process through a closed vent system.

(iv) A description of the method used and the results of the volumetric flow

rate measurement or emissions screening, as applicable.

(v) Records for all flow meters, composition analyzers and pressure gauges used to measure volumetric flow rates as specified in paragraphs (c)(5)(v)(A) through (F).

(A) Description of standard method published by a consensus-based standards organization or industry standard practice.

(B) Records of volumetric flow rate calculations conducted according to paragraphs § 60.5385b(b) or (c), as applicable.

(C) Records of manufacturer operating procedures and measurement methods.

(D) Records of manufacturer's recommended procedures or an appropriate industry consensus standard method for calibration and results of calibration, recalibration, and accuracy checks.

(E) Records which demonstrate that measurements at the remote location(s) can, when appropriate correction factors are applied, reliably and accurately represent the actual temperature or total pressure at the flow meter under all expected ambient conditions. You must include the date of the demonstration, the data from the demonstration, the mathematical correlation(s) between the remote readings and actual flow meter conditions derived from the data, and any supporting engineering calculations. If adjustments were made to the mathematical relationships, a record and description of such adjustments.

(F) Record of each initial calibration or a recalibration which failed to meet the required accuracy specification and the date of the successful recalibration.

(vi) Date when performance-based volumetric flow rate is exceeded.

(vii) The date of successful replacement or repair of reciprocating compressor rod packing, including follow-up performance-based volumetric flow rate measurement to confirm successful repair.

(viii) Identification of each reciprocating compressor placed on delay of repair because of rod packing or part unavailability and explanation for each delay of repair.

(ix) For each reciprocating compressor that is placed on delay of repair because of replacement rod packing or part unavailability, the operator must document: the date the rod packing or part was added to the delay of repair list, the date the replacement rod packing or part was ordered, the anticipated rod packing or part delivery date (including any estimated shipment or delivery date provided by the

vendor), and the actual arrival date of the rod packing or part.

(x) Date of planned shutdowns that occur while there are any reciprocating compressors that have been placed on delay of repair due to the unavailability of rod packing or parts to conduct repairs.

(6) For each process controller affected facility, you must maintain the records specified in paragraphs (c)(6)(i) through (vii) of this section.

(i) Records identifying each process controller that is driven by natural gas and that does not function as an emergency shutdown device.

(ii) For each process controller affected facility complying with § 60.5390b(a), you must maintain records of the information specified in paragraphs (c)(6)(ii)(A) and (B) of this section, as applicable.

(A) If you are complying with § 60.5390b(a) by routing process controller vapors to a process through a closed vent system, you must report the information specified in paragraphs (c)(6)(ii)(A)(1) and (2) of this section.

(1) An identification of all the natural gas-driven process controllers in the process controller affected facility for which you collect and route vapors to a process through a closed vent system.

(2) The records specified in paragraphs (c)(8), (10), and (12) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.

(B) If you are complying with § 60.5390b(a) by using a self-contained natural gas-driven process controller, you must report the information specified in paragraphs (c)(6)(ii)(B)(1) through (3) of this section.

(1) An identification of each process controller complying with § 60.5390b(a) by using a self-contained natural gas-driven process controller;

(2) Dates of each inspection required under § 60.5416b(b); and

(3) Each defect or leak identified during each natural gas-driven-self-contained process controller system inspection, and date of repair or date of anticipated repair if repair is delayed.

(iii) For each process controller affected facility complying with the § 60.5390b(b)(1) process controller bleed rate requirements, you must maintain records of the information specified in paragraphs (c)(6)(iii)(A) and (B) of this section.

(A) The identification of process controllers designed and operated to achieve a bleed rate less than or equal to 6 scfh and records of the

manufacturer's specifications indicating that the process controller is designed with a natural gas bleed rate of less than or equal to 6 scfh.

(B) Where necessary to meet a functional need, the identification of the process controller and demonstration of why it is necessary to use a process controller with a natural gas bleed rate greater than 6 scfh.

(iv) For each intermittent vent process controller in the affected facility complying with the requirements in paragraphs § 60.5390b(b)(2), you must keep records of the information specified in paragraphs (c)(6)(iv)(A) through (C) of this section.

(A) The identification of each intermittent vent process controller.

(B) Dates and results of the intermittent vent process controller monitoring required by § 60.5390b(b)(2)(ii).

(C) For each instance in which monitoring identifies emissions to the atmosphere from an intermittent vent controller during idle periods, the date of repair or replacement, or the date of anticipated repair or replacement if the repair or replacement is delayed and the date and results of the re-survey after repair or replacement.

(v) For each process controller affected facility complying with § 60.5390b(b)(3), you must maintain the records specified in paragraphs (c)(6)(v)(A) and (B) of this section.

(A) An identification of each process controller for which emissions are routed to a control device.

(B) Records specified in paragraphs (c)(8) and (c)(10) through (13) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.

(vi) Records of each change in compliance method, including identification of each natural gas-driven process controller which changes its method of compliance, the new method of compliance, and the date of the change in compliance method.

(vii) Records of each deviation, the date and time the deviation began, the duration of the deviation, and a description of the deviation.

(7) For each storage vessel affected facility, you must maintain the records identified in paragraphs (c)(7)(i) through (vii) of this section.

(i) You must maintain records of the identification and location in latitude and longitude coordinates in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the

North American Datum of 1983 of each storage vessel affected facility.

(ii) Records of each methane and VOC emissions determination for each storage vessel affected facility made under § 60.5365b(e) including identification of the model or calculation methodology used to calculate the methane and VOC emission rate.

(iii) For each instance where the storage vessel was not operated in compliance with the requirements specified in § 60.5395b a description of the deviation, the date and time each deviation began, and the duration of the deviation.

(iv) If complying with the emissions reduction standard in § 60.5395b(a)(2), you must maintain the records in paragraphs (c)(7)(iv)(A) through (E) of this section.

(A) If you comply with the emission reduction standard with a control device, the information for each control device in paragraphs (c)(11) and (13) of this section.

(B) Records of the closed vent system inspection as specified paragraph (c)(8) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.

(C) Records of the cover inspections as specified in paragraph (c)(9) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (c)(9) of this section, you must provide the information specified in § 60.5424b.

(D) If applicable, the records of bypass monitoring as specified in paragraph (c)(10) of this section.

(E) Records of the closed vent system assessment as specified in paragraph (c)(12) of this section.

(v) For storage vessels that are skid-mounted or permanently attached to something that is mobile (such as trucks, railcars, barges or ships), records indicating the number of consecutive days that the vessel is located at a site in the crude oil and natural gas source category. If a storage vessel is removed from a site and, within 30 days, is either returned to the site or replaced by another storage vessel at the site to serve the same or similar function, then the entire period since the original storage vessel was first located at the site, including the days when the storage vessel was removed, will be added to the count towards the number of consecutive days.

(vi) Records of the date that each storage vessel affected facility or portion

of a storage vessel affected facility is removed from service and returned to service, as applicable.

(vii) Records of the date that liquids from the well following fracturing or refracturing are routed to the storage vessel affected facility; or the date that you comply with paragraph § 60.5395b(a)(2), following a monthly emissions determination which indicates that VOC emissions from your storage vessel affected facility increase to 4 tpy or greater or methane emissions increase to 14 tpy or greater and the increase is not associated with fracturing or refracturing of a well feeding the storage vessel affected facility, and records of the methane and VOC emissions rate and the model or calculation methodology used to calculate the methane and VOC emission rate.

(8) Records of each closed vent system inspection required under § 60.5416b(a)(1) and (2) and (b) for your well, centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, and process unit equipment affected facility as required in paragraphs (c)(8)(i) through (iv) of this section.

(i) A record of each closed vent system inspection or no identifiable emissions monitoring survey. You must include an identification number for each closed vent system (or other unique identification description selected by you), the date of the inspection, and the method used to conduct the inspection (*i.e.*, visual, AVO, OGI, Method 21 of appendix A-7 to this part).

(ii) For each defect or emissions detected during inspections required by § 60.5416b(a)(1) and (2) or (b), you must record the location of the defect or emissions; a description of the defect; the maximum concentration reading obtained if using Method 21 of appendix A-7 to this part; the indication of emissions detected by AVO if using AVO; the date of detection; the date of each attempt to repair the emissions or defect; the corrective action taken during each attempt to repair the defect; and the date the repair to correct the defect or emissions is completed.

(iii) If repair of the defect is delayed as described in § 60.5416b(b)(6), you must record the reason for the delay and the date you expect to complete the repair.

(iv) Parts of the closed vent system designated as unsafe to inspect as described in § 60.5416b(b)(7) or difficult to inspect as described in § 60.5416b(b)(8), the reason for the designation, and written plan for

inspection of that part of the closed vent system.

(9) A record of each cover inspection required under § 60.5416b(a)(3) for your centrifugal compressor, reciprocating compressor, or storage vessel as required in paragraphs (c)(9)(i) through (iv) of this section.

(i) A record of each cover inspection. You must include an identification number for each cover (or other unique identification description selected by you), the date of the inspection, and the method used to conduct the inspection (*i.e.*, AVO, OGI, Method 21 of appendix A–7 to this part).

(ii) For each defect detected during the inspection you must record the location of the defect; a description of the defect, the date of detection, the maximum concentration reading obtained if using Method 21 of appendix A–7 to this part; the indication of emissions detected by AVO if using AVO; the date of each attempt to repair the defect; the corrective action taken during each attempt to repair the defect; and the date the repair to correct the defect is completed.

(iii) If repair of the defect is delayed as described in § 60.5416b(b)(6), you must record the reason for the delay and the date you expect to complete the repair.

(iv) Parts of the cover designated as unsafe to inspect as described in § 60.5416b(b)(7) or difficult to inspect as described in § 60.5416b(b)(8), the reason for the designation, and written plan for inspection of that part of the cover.

(10) For each bypass subject to the bypass requirements of § 60.5416b(a)(4), you must maintain a record of the following, as applicable: readings from the flow indicator; each inspection of the seal or closure mechanism; the date and time of each instance the key is checked out; date and time of each instance the alarm is sounded.

(11) Records for each control device used to comply with the emission reduction standard in § 60.5377b(d) or (f) for associated gas wells, § 60.5380b(a)(1) or (9) for centrifugal compressor affected facilities, § 60.5385b(d)(2) for reciprocating compressor affected facilities, § 60.5390b(b)(3) for your process controller affected facility in Alaska, § 60.5393b(b)(3) for your pump affected facility, § 60.5395b(a)(2) for your storage vessel affected facility, § 60.5376b(g) for well affected facility gas well liquids unloading, or § 60.5400b(f) or 60.5401b(e) for your process equipment affected facility, as required in paragraphs (c)(11)(i) through (viii) of this section. If you use an enclosed

combustion device or flare using an alternative test method approved under § 60.5412b(d), keep records of the information in paragraphs (c)(11)(ix) of this section, in lieu of the records required by paragraphs (c)(11)(i) through (iv) and (vi) through (viii) of this section.

(i) For a control device tested under § 60.5413b(d) which meets the criteria in § 60.5413b(d)(11) and (e), keep records of the information in paragraphs (c)(11)(i)(A) through (E) of this section, in addition to the records in paragraphs (c)(11)(ii) through (ix) of this section, as applicable.

(A) Serial number of purchased device and copy of purchase order.

(B) Location of the affected facility associated with the control device in latitude and longitude coordinates in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.

(C) Minimum and maximum inlet gas flow rate specified by the manufacturer.

(D) Records of the maintenance and repair log as specified in § 60.5413b(e)(4), for all inspection, repair, and maintenance activities for each control device failing the visible emissions test.

(E) Records of the manufacturer's written operating instructions, procedures, and maintenance schedule to ensure good air pollution control practices for minimizing emissions.

(ii) For all control devices, keep records of the information in paragraphs (c)(11)(ii)(A) through (G) of this section, as applicable.

(A) Make, model, and date of installation of the control device, and identification of the affected facility controlled by the device.

(B) Records of deviations in accordance with § 60.5417b(g)(1) through (7), including a description of the deviation, the date and time the deviation began, the duration of the deviation, and the cause of the deviation.

(C) The monitoring plan required by § 60.5417b(c)(2).

(D) Make and model number of each continuous parameter monitoring system.

(E) Records of minimum and maximum operating parameter values, continuous parameter monitoring system data (including records that the pilot or combustion flame is present at all times), calculated averages of continuous parameter monitoring system data, and results of all compliance calculations.

(F) Records of continuous parameter monitoring system equipment

performance checks, system accuracy audits, performance evaluations, or other audit procedures and results of all inspections specified in the monitoring plan in accordance with § 60.5417b(c)(2). Records of calibration gas cylinders, if applicable.

(G) Periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities. Records of repairs on the monitoring system.

(iii) For each carbon adsorption system, records of the schedule for carbon replacement as determined by the design analysis requirements of § 60.5413b(c)(2) and (3) and records of each carbon replacement as specified in § 60.5412b(c)(1) and § 60.5415b(f)(1)(viii).

(iv) For enclosed combustion devices and flares, records of visible emissions observations as specified in paragraph (c)(11)(iv)(A) or (B) of this section.

(A) Records of observations with Method 22 of appendix A–7 to this part, including observations required following return to operation from a maintenance or repair activity, which include: company, location, company representative (name of the person performing the observation), sky conditions, process unit (type of control device), clock start time, observation period duration (in minutes and seconds), accumulated emission time (in minutes and seconds), and clock end time. You may create your own form including the above information or use Figure 22–1 in Method 22 of appendix A–7 to this part.

(B) If you monitor visible emissions with a video surveillance camera, location of the camera and distance to emission source, records of the video surveillance output, and documentation that an operator looked at the feed daily, including the date and start time of observation, the length of observation, and length of time visible emissions were present.

(v) For enclosed combustion devices and flares, video of the OGI inspection conducted in accordance with § 60.5415b(f)(1)(x). Records documenting each enclosed combustion device and flare was visibly observed during each inspection conducted under § 60.5397b using AVO in accordance with § 60.5415b(f)(1)(x).

(vi) For enclosed combustion devices and flares, records of each demonstration of the NHV of the inlet gas to the enclosed combustion device or flare conducted in accordance with § 60.5417b(d)(8)(iii). For each re-evaluation of the NHV of the inlet gas,

records of process changes and explanation of the conditions that led to the need to re-evaluation the NHV of the inlet gas. For each demonstration, record information on whether the enclosed combustion device or flare has the potential to receive inert gases, and if so, the highest percentage of inert gases that can be sent to the enclosed combustion device or flare and the highest percent of inert gases sent to the enclosed combustion device or flare during the NHV demonstration. Records of periodic sampling conducted under § 60.5417b(d)(8)(iii)(G).

(vii) For enclosed combustion devices and flares, if you use a backpressure regulator valve, the make and model of the valve, date of installation, and record of inlet flow rating. Maintain records of the engineering evaluation and manufacturer specifications that identify the pressure set point corresponding to the minimum inlet gas flow rate, the annual confirmation that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications, and the annual confirmation that the backpressure regulator valve fully closes when not in open position.

(viii) For enclosed combustion devices and flares, records of each demonstration required under § 60.5417b(d)(8)(iv).

(ix) If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412b(d), keep records of the information in paragraphs (c)(11)(ix)(A) through (H) of this section, in lieu of the records required by paragraphs (c)(11)(i) through (iv) and (c)(11)(vi) through (viii) of this section.

(A) An identification of the alternative test method used.

(B) Data recorded at the intervals required by the alternative test method.

(C) Monitoring plan required by § 60.5417(i)(2).

(D) Quality assurance and quality control activities conducted in accordance with the alternative test method.

(E) If required by § 60.5412b(d)(4) to conduct visible emissions observations, records required by paragraph (c)(11)(iv) of this section.

(F) If required by § 60.5412b(d)(5) to conduct pilot or combustion flame monitoring, record indicating the presence of a pilot or combustion flame and periods when the pilot or combustion flame is absent.

(G) For each instance where there is a deviation of the control device in accordance with § 60.5417b(i)(6)(i) through (v), the date and time the

deviation began, the duration of the deviation in hours, and cause of the deviation.

(H) Any additional information required to be recorded as specified by the Administrator as part of the alternative test method approval under § 60.5412b(d).

(12) For each closed vent system routing to a control device or process, the records of the assessment conducted according to § 60.5411b(c):

(i) A copy of the assessment conducted according to § 60.5411b(c)(1); and

(ii) A copy of the certification according to § 60.5411b(c)(1)(i) and (ii).

(13) A copy of each performance test submitted under paragraphs (b)(12) or (13) of this section.

(14) For the fugitive emissions components affected facility, maintain the records identified in paragraphs (c)(14)(i) through (viii) of this section.

(i) The date of the startup of production or the date of the first day of production after modification for the fugitive emissions components affected facility at a well site and the date of startup or the date of modification for the fugitive emissions components affected facility at a compressor station.

(ii) For the fugitive emissions components affected facility at a well site, you must maintain records specifying what type of well site it is (*i.e.*, single wellhead only well site, small wellsite, multi-wellhead only well site, or a well site with major production and processing equipment.)

(iii) For the fugitive emissions components affected facility at a well site where you complete the removal of all major production and processing equipment such that the well site contains only one or more wellheads, record the date the well site completes the removal of all major production and processing equipment from the well site, and, if the well site is still producing, record the well ID or separate tank battery ID receiving the production from the well site. If major production and processing equipment is subsequently added back to the well site, record the date that the first piece of major production and processing equipment is added back to the well site.

(iv) The fugitive emissions monitoring plan as required in § 60.5397b(b), (c), and (d).

(v) The records of each monitoring survey as specified in paragraphs (c)(14)(v)(A) through (I) of this section.

(A) Date of the survey.

(B) Beginning and end time of the survey.

(C) Name of operator(s), training, and experience of the operator(s) performing the survey.

(D) Monitoring instrument or method used.

(E) Fugitive emissions component identification when Method 21 of appendix A-7 to this part is used to perform the monitoring survey.

(F) Ambient temperature, sky conditions, and maximum wind speed at the time of the survey. For compressor stations, operating mode of each compressor (*i.e.*, operating, standby pressurized, and not operating-depressurized modes) at the station at the time of the survey.

(G) Any deviations from the monitoring plan or a statement that there were no deviations from the monitoring plan.

(H) Records of calibrations for the instrument used during the monitoring survey.

(I) Documentation of each fugitive emission detected during the monitoring survey, including the information specified in paragraphs (c)(14)(v)(I)(1) through (9) of this section.

(1) Location of each fugitive emission identified.

(2) Type of fugitive emissions component, including designation as difficult-to-monitor or unsafe-to-monitor, if applicable.

(3) If Method 21 of appendix A-7 to this part is used for detection, record the component ID and instrument reading.

(4) For each repair that cannot be made during the monitoring survey when the fugitive emissions are initially found, a digital photograph or video must be taken of that component or the component must be tagged for identification purposes. The digital photograph must include the date that the photograph was taken and must clearly identify the component by location within the site (*e.g.*, the latitude and longitude of the component or by other descriptive landmarks visible in the picture). The digital photograph or identification (*e.g.*, tag) may be removed after the repair is completed, including verification of repair with the resurvey.

(5) The date of first attempt at repair of the fugitive emissions component(s).

(6) The date of successful repair of the fugitive emissions component, including the resurvey to verify repair and instrument used for the resurvey.

(7) Identification of each fugitive emission component placed on delay of repair and explanation for each delay of repair.

(8) For each fugitive emission component placed on delay of repair for reason of replacement component

unavailability, the operator must document: the date the component was added to the delay of repair list, the date the replacement fugitive component or part thereof was ordered, the anticipated component delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the component.

(9) Date of planned shutdowns that occur while there are any components that have been placed on delay of repair.

(vi) For the fugitive emissions components affected facility complying with an alternative means of emissions limitation under § 60.5399b, you must maintain the records specified by the specific alternative fugitive emissions standard for a period of at least 5 years.

(vii) For well closure activities, you must maintain the information specified in paragraphs (c)(14)(vii)(A) through (G) of this section.

(A) The well closure plan developed in accordance with § 60.5397b(l) and the date the plan was submitted.

(B) The notification of the intent to close the well site and the date the notification was submitted.

(C) The date of the cessation of production from all wells at the well site.

(D) The date you began well closure activities at the well site.

(E) Each status report for the well closure activities reported in paragraph (b)(9)(iv)(A) of this section.

(F) Each OGI survey reported in paragraph (b)(9)(iv)(B) of this section including the date, the monitoring instrument used, and the results of the survey or resurvey.

(G) The final OGI survey video demonstrating the closure of all wells at the site. The video must include the date that the video was taken and must identify the well site location by latitude and longitude.

(viii) If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraphs (c)(14)(iv) and (v) of this section, you must maintain the records specified in § 60.5424b.

(15) For each pump affected facility, you must maintain the records identified in paragraphs (c)(15)(i) through (ix) of this section.

(i) Identification of each pump that is driven by natural gas and that is in operation 90 days or more per calendar year.

(ii) If you are complying with § 60.5393b(a) or (b)(1) by routing pump vapors to a process through a closed vent system, identification of all the pumps in the pump affected facility for which you collect and route vapors to

a process through a closed vent system and the records specified in paragraphs (c)(8), (10), and (12) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.

(iii) If you are complying with § 60.5393b(b)(1) by routing pump vapors to control device achieving a 95.0 percent reduction in methane and VOC emissions, you must keep the records specified in paragraphs (c)(8) and (10) through (c)(13) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398b, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424b.

(iv) If you are complying with § 60.5393b(b)(5) by routing pump vapors to control device achieving less than a 95.0 percent reduction in methane and VOC emissions, you must maintain records of the certification that there is a control device on site but it does not achieve a 95.0 percent emissions reduction and a record of the design evaluation or manufacturer's specifications which indicate the percentage reduction the control device is designed to achieve.

(v) If you have less than three natural gas-driven diaphragm pumps in the pump affected facility, and you do not have a vapor recovery unit or control device installed on site by the compliance date, you must retain a record of your certification required under § 60.5393b(b)(6), certifying that there is no vapor recovery unit or control device on site. If you subsequently install a control device or vapor recovery unit, you must maintain the records required under paragraph (c)(15)(ii) and paragraph (c)(15)(iii) or (iv) of this section, as applicable.

(vi) If you determine, through an engineering assessment, that it is technically infeasible to route the pump affected facility emissions to a process or control device, you must retain records of your demonstration and certification that it is technically infeasible as required under § 60.5393b(b)(5).

(vii) If the pump is routed to a control device that is subsequently removed from the location or is no longer available such that there is no option to route to a control device, you are required to retain records of this change and the records required under paragraph (c)(15)(vi) of this section.

(viii) Records of each change in compliance method, including

identification of each natural gas-driven pump which changes its method of compliance, the new method of compliance, and the date of the change in compliance method.

(ix) Records of each deviation, the date and time the deviation began, the duration of the deviation, and a description of the deviation.

(d) *Electronic reporting.* If you are required to submit notifications or reports following the procedure specified in this paragraph (d), you must submit notifications or reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (d)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (d).

* * * * *

■ 31. Amend § 60.5421b by:

- a. Revising and republishing the introductory text and paragraph (b) introductory text; and
- b. Redesignating (b)(11)(vi) introductory text as (b)(11)(iv) introductory text and revising it.

The revisions read as follows:

§ 60.5421b What are my additional recordkeeping requirements for process unit equipment affected facilities?

You must maintain a record of each equipment leak monitoring inspection and each leak identified under § 60.5400b and § 60.5401b as specified

in paragraphs (b)(1) through (17) of this section. The record must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be maintained that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

* * * * *

(b) You must maintain the monitoring inspection records specified in paragraphs (b)(1) through (17) of this section.

* * * * *

(11) * * *

(iv) The date of successful repair of the leak and the method of monitoring used to confirm the repair, as specified in paragraph (b)(11)(iv)(A) through (C) of this section.

* * * * *

■ 32. Amend § 60.5424b by revising paragraph (e)(6) to read as follows:

§ 60.5424b What are my additional recordkeeping and reporting requirements if I comply with the alternative GHG and VOC standards for fugitive emissions components affected facilities and covers and closed vent systems?

* * * * *

(e) * * *

(6) Each rolling 12-month average operational downtime for the system, calculated in accordance with § 60.5398b(c)(1)(iv)(D).

* * * * *

■ 33. Amend § 60.5430b by revising the definitions for *No identifiable emissions* and *Storage vessel* to read as follows:

§ 60.5430b What definitions apply to this subpart?

* * * * *

No identifiable emissions means, for the purposes of covers, closed vent systems, and self-contained natural gas-driven process controllers and as determined according to the provisions of § 60.5416b, that no emissions are detected by AVO means when inspections are conducted by AVO; no emissions are imaged with an OGI camera when inspections are conducted with OGI; and equipment is operating with an instrument reading of less than 500 ppmv above background, as determined by Method 21 of appendix A-7 to this part when inspections are conducted with Method 21.

* * * * *

Storage vessel means a tank or other vessel that contains an accumulation of crude oil, condensate, intermediate hydrocarbon liquids, or produced water, and that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) which provide structural support. A well completion vessel that receives recovered liquids from a well after

startup of production following flowback for a period which exceeds 60 days is considered a storage vessel under this subpart. A tank or other vessel shall not be considered a storage vessel if it has been removed from service in accordance with the requirements of § 60.5395b(c)(1) until such time as such tank or other vessel has been returned to service. For the purposes of this subpart, the following are not considered storage vessels:

(1) Vessels that are skid-mounted or permanently attached to something that is mobile (such as trucks, railcars, barges or ships), and are intended to be located at a site for less than 180 consecutive days. If you do not keep or are not able to produce records, as required by § 60.5420b(c)(7)(v), showing that the vessel has been located at a site for less than 180 consecutive days, the vessel described herein is considered to be a storage vessel from the date the original vessel was first located at the site. This exclusion does not apply to a well completion vessel as described above.

(2) Process vessels such as surge control vessels, bottoms receivers or knockout vessels.

(3) Pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere.

* * * * *

■ 34. Revise table 3 to subpart OOOOb of part 60 to read as follows:

TABLE 3 TO SUBPART OOOOb OF PART 60—REQUIRED MINIMUM INITIAL SO₂ EMISSION REDUCTION EFFICIENCY (Z_i)

H ₂ S content of acid gas (Y), %	Sulfur feed rate (X), LT/D			
	2.0 ≤ X ≤ 5.0	5.0 < X ≤ 15.0	15.0 < X ≤ 300.0	X > 300.0
Y ≥ 50	79.0	88.51X ^{0.0101} Y ^{0.0125} or 99.9, whichever is smaller.		
20 ≤ Y < 50	79.0	88.51X ^{0.0101} Y ^{0.0125} or 97.9, whichever is smaller		
10 ≤ Y < 20	79.0	88.51X ^{0.0101} Y ^{0.0125} or 93.5, whichever is smaller	93.5	93.5
Y < 10	79.0		79.0	79.0

■ 35. Revise table 4 to subpart OOOOb of part 60 to read as follows:

TABLE 4 TO SUBPART OOOOb OF PART 60—REQUIRED MINIMUM SO₂ EMISSION REDUCTION EFFICIENCY (Z_c)

H ₂ S content of acid gas (Y), %	Sulfur feed rate (X), LT/D			
	2.0 ≤ X ≤ 5.0	5.0 < X ≤ 15.0	15.0 < X ≤ 300.0	X > 300.0
Y ≥ 50	74.0	85.35X ^{0.0144} Y ^{0.0128} or 99.9, whichever is smaller.		
20 ≤ Y < 50	74.0	85.35X ^{0.0144} Y ^{0.0128} or 97.5, whichever is smaller		
10 ≤ Y < 20	74.0	85.35X ^{0.0144} Y ^{0.0128} or 90.8, whichever is smaller	90.8	90.8
Y < 10	74.0		74.0	74.0

■ 36. Amend table 5 to subpart OOOOb of part 60 by revising the entry for “§ 60.8” to read as follows:

TABLE 5 TO SUBPART OOOOb OF PART 60—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART OOOOb

General provisions citation	Subject of citation	Applies to subpart?	Explanation
* * *	* * *	* * *	* * *
§ 60.8	Performance tests	Yes	Except that the format and submittal of performance test reports is described in § 60.5420b(b) and (d). Performance testing is required for control devices used on storage vessels, centrifugal compressors, wells, reciprocating compressors, process controllers, and pumps, as applicable, except that performance testing is not required for a control device used solely on pump(s).
* * *	* * *	* * *	* * *

Subpart OOOOc —Emissions Guidelines for Greenhouse Gas Emissions from Existing Crude Oil and Natural Gas Facilities

■ 37. Amend § 60.5370c by revising paragraph (b) to read as follows:

§ 60.5370c What compliance schedule must I include in my state or Tribal plan?

(b) The plan must include legally enforceable increments of progress to achieve compliance for each designated facility or category of facilities, as specified in §§ 60.5379c through 60.5381c.

■ 38. Amend § 60.5374c by revising paragraph (b) to read as follows:

§ 60.5374c Does this subpart directly affect designated facility owners and operators in my state?

(b) If you do not submit a plan to implement and enforce the guidelines contained in this subpart by the date 24 months after promulgation of this subpart, or if EPA disapproves your plan, the EPA will implement and enforce a Federal plan, as provided in § 60.5368c of this subpart, to ensure that each designated facility within your state that commenced construction, modification or reconstruction on or before December 6, 2022, reaches compliance with all the provisions of this subpart by the dates specified in § 60.5360c of this subpart.

■ 39. Amend § 60.5375c by revising paragraph (a)(3) to read as follows:

§ 60.5375c What designated facilities must I address in my state or Tribal plan?

(a) * * *

(3) Designated facilities not exempt under § 60.14(e).

* * *

■ 40. Amend § 60.5386c by revising paragraph (e)(2)(i)(C) to read as follows:

§ 60.5386c Am I subject to this subpart?

(e) * * *

(2) * * *

(i) * * *

(C) Established parametric limits for the production and/or operational limit(s) in paragraph (e)(2)(i)(A), and where a control device is used to achieve an operational limit, an initial compliance demonstration (*i.e.*, performance test) for the control device that establishes the parametric limits;

* * *

■ 41. Amend § 60.5388c by:

- a. Revising paragraphs (a)(1) and (2);
- b. Removing paragraph (a)(3);
- c. Redesignating paragraph (a)(4) as paragraph (a)(3); and
- d. Revising paragraph (b)(1)(v).

The revisions read as follows:

§ 60.5388c What standards apply to super-emitter events?

* * *

(a) * * *

(1) If you do not own or operate an oil and natural gas facility within 50 meters from the latitude and longitude provided in the notification subject to the regulation under this subpart, report this result to the EPA under paragraph (b) of this section. Your super-emitter event investigation is deemed complete under this subpart.

(2) If you own or operate an oil and natural gas facility within 50 meters from the latitude and longitude provided in the notification, and there is a designated facility or associated equipment subject to this subpart onsite, you must investigate to determine the source of the super-emitter event in accordance with this paragraph (a) and report the results in accordance with

paragraph (b) of this section. The investigation required by this paragraph (a)(2) of this section may include but is not limited to the actions specified below in paragraphs (a)(2)(i) through (v) of this section.

(i) Review any maintenance activities (*e.g.*, liquids unloading) or process activities from the designated facilities subject to regulation under this subpart, starting from the date of detection of the super-emitter event as identified in the notification, until the date of investigation, to determine if the activities indicate any potential source(s) of the super-emitter event emissions.

(ii) Review all monitoring data from control devices (*e.g.*, flares) from the designated facilities subject to regulation under this subpart from the initial date of detection of the super-emitter event as identified in the notification, until the date of receiving the notification from the EPA to identify malfunctions of control devices or periods when the control devices were not in compliance with applicable requirements and that indicate a potential source of the super-emitter event emissions.

(iii) If you conducted a fugitive emissions survey or periodic screening event in accordance with § 60.5397c or § 60.5398c(b) between the initial date of detection of the super-emitter event as identified in the notification and the date the notification from the EPA was received, review the results of the survey to identify any potential source(s) of the super-emitter event emissions.

(iv) If you use conduct continuous monitoring with advanced methane detection technology in accordance with § 60.5398c(c), review the monitoring data collected on or after the initial date of detection of the super-emitter event

as identified in the notification, until the date of receiving the notification from the EPA.

(v) Screen the entire well site, centralized production facility, or compressor station with OGI, Method 21 of appendix A–7 to this part, or an alternative test method(s) approved per § 60.5398c(d), to determine if a super-emitter event is present

* * * * *

(b) * * *

(1) * * *

(v) Indication of whether you were able to identify the source of the super-emitter event. If you indicate you were unable to identify the source of the super-emitter event, you must certify that all applicable investigations specified in paragraphs (a)(2)(i) through (v) of this section have been conducted for all designated facilities and associated equipment subject to regulation under this subpart that are at this oil and natural gas facility, and you have determined that the designated facilities and associated equipment are not the source of the super-emitter event. If you indicate that you were not able to identify the source of the super-emitter event, you are not required to report the information in paragraphs (b)(1)(vi) through (viii) of this section.

* * * * *

■ 42. Amend § 60.5390c by:

- a. Revising and republishing paragraph (a)(1) introductory text; and
- b. Redesignating paragraphs (a)(1)(A) and (B) as paragraphs (a)(1)(i) and (ii).

The revision reads as follows:

§ 60.5390c What GHG standards apply to gas well liquids unloading operations at well designated facilities?

(a) * * *

(1) If a gas well liquids unloading operation technology or technique employed does not result in venting of methane emissions to the atmosphere, you must comply with the requirements specified in paragraphs (a)(1)(i) and (ii) and (d) and (e) of this section. If an unplanned venting event occurs, you must meet the requirements specified in paragraphs (c) through (f) of this section.

* * * * *

- 43. Amend § 60.5391c by revising and republishing paragraphs (b) through (e) and (g) and (h) to read as follows:

§ 60.5391c What GHG standards apply to associated gas wells at well designated facilities?

* * * * *

(b) If you meet one of the conditions in paragraphs (b)(1) or (2) of this section, you may route the associated

gas to a control device that reduces methane emissions by at least 95.0 percent instead of complying with paragraph (a) of this section. The associated gas must be routed through a closed vent system that meets the requirements of § 60.5411c(a) and (c) and the control device must meet the conditions specified in § 60.5412c(a), (b), and (c).

(1) If the annual methane contained in the associated gas from your oil well is 40 tons per year or less at the initial compliance date, determined in accordance with paragraph (e) of this section.

(2) If you demonstrate and certify that it is not feasible to comply with paragraph (a)(1), (2), (3), and (4) of this section due to technical reasons by providing a detailed analysis documenting and certifying the technical reasons for this infeasibility in accordance with paragraphs (b)(2)(i) through (iv) of this section.

(i) In order to demonstrate that it is not feasible to comply with paragraph (a)(1), (2), (3), and (4) of this section, you must provide a detailed analysis documenting and certifying the technical reasons for this infeasibility. The demonstration must address the technical infeasibility for all options identified in (a)(1), (2), (3), and (4) of this section. Documentation of these demonstrations must be maintained in accordance with § 60.5420c(c)(2)(iv).

(ii) This demonstration must be certified by a professional engineer or another qualified individual with expertise in the uses of associated gas. The following certification, signed and dated by the qualified professional engineer or other qualified individual shall state: “I certify that the assessment of technical and safety infeasibility was prepared under my direction or supervision. I further certify that the assessment was conducted, and this report was prepared pursuant to the requirements of § 60.5391c(b)(2). Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete.”

(iii) This demonstration and certification are valid for no more than 12 months. You must re-analyze the feasibility of complying with paragraphs (a)(1), (2), (3), and (4) of this section and finalize a new demonstration and certification each year.

(iv) Documentation of these demonstrations, along with the certifications, must be maintained in accordance with § 60.5420c(c)(2)(iv) and

submitted in annual reports in accordance with § 60.5420c(b)(3).

(c) If you are complying with paragraph (a) of this section, you may temporarily route the associated gas to a flare or control device in the situations and for the durations identified in paragraphs (c)(1), (2), (3), or (4) of this section. The associated gas must be routed through a closed vent system that meets the requirements of § 60.5411c(a) and (c) and the control device must meet the conditions specified in § 60.5412c. If you are routing to a flare, you must demonstrate that the § 60.18 flare requirements are met during the period when the associated gas is routed to the flare. Records must be kept of all temporary flaring instances in accordance with § 60.5420c(c)(2) and reported in the annual report in accordance with § 60.5420c(b)(3).

(1) For equal to or less than 24 hours during a deviation caused by malfunction causing the need to flare.

(2) For equal to or less than 24 hours during repair, maintenance including blow downs, a bradenhead test, a packer leakage test, a production test, or commissioning.

(3) For wells complying with paragraph (a)(1) of this section, for the duration of a temporary interruption in service from the gathering or pipeline system, or 30 days, whichever is less.

(4) For 72 hours from the time that the associated gas does not meet pipeline specifications, or until the associated gas meets pipeline specifications, whichever is less.

(d) If you are complying with paragraph (a), (b), or (c) of this section, you may vent the associated gas in the situations and for the durations identified in paragraphs (d)(1), (2), or (3) of this section. Records must be kept of all venting instances in accordance with § 60.5420c(c)(2) and reported in the annual report in accordance with § 60.5420c(b)(3).

(1) For up to 12 hours to protect the safety of personnel.

(2) For up to 30 minutes during bradenhead monitoring.

(3) For up to 30 minutes during a packer leakage test.

(e) Calculate the methane content in associated gas as specified in paragraph (e)(1) of this section and comply with paragraphs (e)(2) and (e)(3) of this section.

(1) Calculate the methane content in associated gas from your oil well using the following equation

Equation 1 to Paragraph (e)(1)

Equation 1 to Paragraph (e)(1)

$$AG_{\text{methane}} = \frac{(GOR \times V \times M_{\text{methane}} \times 0.0192)}{907.2}$$

Where:

AG_{methane} = Amount of methane in associated gas from the oil well, tons methane per year

GOR = Gas to oil ratio for the well in standard cubic feet of gas per barrel of oil; oil here refers to hydrocarbon liquids produced of all API gravities. GOR is to be determined for the well using available data, an appropriate standard method published by a consensus-based standards organization which include, but are not limited to, the following: ASTM International, the American National Standards Institute (ANSI), the American Gas Association (AGA), the American Society of Mechanical Engineers (ASME), the American Petroleum Institute (API), and the North American Energy Standards Board (NAESB), or in industry standard practice.

V = Volume of oil produced in the calendar year preceding the initial compliance date, in barrels per year.

M_{methane} = mole fraction of methane in the associated gas.

0.0192 = density of methane gas at 60 °F and 14.7 psia in kilograms per cubic foot
907.2 = conversion of kilograms to tons, kilograms per ton

(2) You must maintain records of the calculation of the methane in associated gas from your oil well results in accordance with § 60.5420c(c)(2), and submit the information, as well as the background information, in the next annual report in accordance with § 60.5420c(b)(3).

(3) If a process change occurs that could increase the methane content in the associated gas, you must recalculate the methane content in accordance with paragraph (e)(1) of this section.

* * * * *

(g) You must demonstrate continuous compliance with the standards that apply to associated gas wells at well designated facilities as required by § 60.5415c(b).

(h) You must perform the recordkeeping and reporting as required by § 60.5420c(b)(1), (3), and (10) through (12), as applicable, and § 60.5420c(c)(2) and (7) and (9) through (12), as applicable.

■ 44. Amend § 60.5392c by revising paragraph (a) introductory text to read as follows:

§ 60.5392c What GHG standards apply to centrifugal compressor designated facilities?

* * * * *

(a) Each centrifugal compressor designated facility that is a wet or dry seal centrifugal compressor must comply with the GHG standards, using volumetric flow rate as a surrogate, as specified in paragraphs (a)(1) and (2) of this section. Alternatively, you have the option of complying with the GHG standards for your wet seal and dry seal centrifugal compressor by meeting the requirements specified in paragraph (a)(3), and either paragraph (a)(4) or (5) of this section.

* * * * *

■ 45. Amend § 60.5393c by revising and republishing paragraph (g) to read as follows:

§ 60.5393c What GHG standards apply to reciprocating compressor designated facilities?

* * * * *

(g) You must perform the reporting requirements as specified in § 60.5420c(b)(1) and (5) and (10) through (12), as applicable; and the recordkeeping requirements as specified in § 60.5420c(c)(4) and (7) through (12), as applicable.

■ 46. Amend § 60.5394c by revising paragraph (b)(3) to read as follows:

§ 60.5394c What GHG standards apply to process controller designated facilities?

* * * * *

(b) * * *

(3) You must reduce methane emissions from all controllers in the process controller designated facility by 95.0 percent. You must route emissions to a control device through a closed vent system that meets the conditions specified in § 60.5412c.

* * * * *

■ 47. Amend § 60.5395c by revising paragraphs (b)(6)(ii) and (b)(7)(iii) to read as follows:

§ 60.5395c What GHG standards apply to pump designated facilities?

* * * * *

(b) * * *

(6) * * *

(ii) You must maintain the records in § 60.5420c(c)(14)(ii) and (v), as applicable. You are no longer required to maintain the records in § 60.5420c(c)(14)(v) certifying that there is no vapor recovery unit or control device on site.

(7) * * *

(iii) The following certification, signed and dated by the qualified

professional engineer or in-house engineer, must state: "I certify that the assessment of technical infeasibility was prepared under my direction or supervision. I further certify that the assessment was conducted and this report was prepared pursuant to the requirements of § 60.5395c(b)(7)(ii). Based on my professional knowledge and experience, and inquiry of personnel involved in the assessment, the certification submitted herein is true, accurate, and complete."

* * * * *

■ 48. Amend § 60.5396c by revising paragraphs (a)(3) introductory text, (c)(1)(ii), and (c)(4) to read as follows:

§ 60.5396c What GHG standards apply to storage vessel designated facilities?

* * * * *

(a) * * *

(3) Maintain the uncontrolled actual methane emissions from the storage vessel designated facility at less than 14 tpy without considering control in accordance with paragraphs (a)(3)(i) and (ii) of this section. Prior to using the uncontrolled actual methane emission rates for compliance purposes, you must demonstrate that the uncontrolled actual methane emissions have remained less than 14 tpy as determined monthly for 12 consecutive months. After such demonstration, you must determine the uncontrolled actual rolling 12-month determination methane emissions rates each month. The uncontrolled actual methane emissions must be calculated using a generally accepted model or calculation methodology which account for flashing, working, and breathing losses, and the calculations must be based on the actual average throughput, temperature, and separator pressure for the month. You may no longer comply with this paragraph and must instead comply with paragraph (a)(2) of this section if your storage vessel designated facility meets the conditions specified in paragraphs (a)(3)(i) or (ii) of this section.

* * * * *

(c) * * *

(1) * * *

(ii) You must submit a notification as required in § 60.5420c(b)(7)(vii) in your next annual report, identifying each storage vessel designated facility removed from service during the

reporting period and the date of its removal from service.

* * * * *

(4) For each storage vessel designated facility or portion of a storage vessel designated facility returned to service during the reporting period, you must submit a notification in your next annual report as required in § 60.5420c(b)(7)(viii), identifying each storage vessel designated facility or portion of a storage vessel designated facility and the date of its return to service.

* * * * *

■ 49. Amend § 60.5398c by revising and republishing paragraphs (b) and (c)(5)(ii) to read as follows:

§ 60.5398c What alternative GHG standards apply to fugitive emissions components designated facilities and what inspection and monitoring requirements apply to covers and closed vent systems when using an alternative technology?

* * * * *

(b) *Periodic screening.* You may choose to demonstrate compliance for your fugitive emissions components designated facility and compliance with continuous inspection and monitoring requirements for your covers and closed vent systems through periodic screenings using any methane measurement technology approved in accordance with § 60.5398b(d). If you choose to demonstrate compliance using periodic screenings, you must comply with the requirements in paragraphs (b)(1) through (5) of this section and comply with the recordkeeping and reporting requirements in § 60.5424c.

(1) You must use one or more alternative test method(s) approved per § 60.5398b(d) to conduct periodic screenings.

(i) The required frequencies for conducting periodic screenings are listed in tables 2 and 3 to this subpart. You must choose the appropriate frequency for conducting periodic screenings based on the minimum aggregate detection threshold of the method used to conduct the periodic screenings. You must also use tables 2 and 3 to this subpart to determine whether you must conduct an annual fugitive emissions survey using OGI, except as provided in paragraph (b)(1)(ii) of this section.

(ii) Use of table 2 or 3 to this subpart is based on the required frequency for conducting monitoring surveys in § 60.5397c(g)(1)(i) through (v).

(iii) You may replace one or more individual periodic screening events required by table 2 or 3 to this subpart with an OGI survey. The OGI survey

must be conducted according to the requirements outlined in § 60.5397c.

(iv) If you use multiple methods to conduct periodic screenings, you must conduct all periodic screenings, regardless of the method used for the individual periodic screening event, at the frequency required for the alternative test method with the highest aggregate detection threshold (e.g., if you use methods with aggregate detection thresholds of 15 kg/hr, your periodic screenings must be conducted monthly). You must also conduct an annual OGI survey if an annual OGI survey is required for the alternative test method with the highest aggregate detection threshold.

(2) You must develop a monitoring plan that covers the collection of fugitive emissions components, covers, and closed vent systems at each site where you will use periodic screenings to demonstrate compliance. You may develop a site-specific monitoring plan, or you may include multiple sites that you own or operate in one plan. At a minimum, the monitoring plan must contain the information specified in paragraphs (b)(2)(i) through (ix) of this section.

(i) Identification of each site that will be monitored through periodic screening, including latitude and longitude coordinates of the site in decimal degrees to an accuracy and precision of five decimals of a degree using the North American Datum of 1983.

(ii) Identification of the alternative test method(s) approved per § 60.5398b(d) that will be used for periodic screenings and the spatial resolution (i.e., component-level, area-level, or facility-level) of the technology used for each method.

(iii) Identification of and contact information for the entities that will be performing the periodic screenings.

(iv) Required frequency for conducting periodic screenings, based on the criteria outlined in paragraph (b)(1) of this section.

(v) If you are required to conduct an annual OGI survey by paragraph (b)(1)(i) or (iii) of this section or you choose to replace any individual screening event with an OGI survey, your monitoring plan must also include the information required by § 60.5397c(b).

(vi) Procedures for conducting monitoring surveys required by paragraphs (b)(5)(ii)(A), (b)(5)(iii)(A), and (b)(5)(iv)(A) of this section. At a minimum, your monitoring plan must include the information required by § 60.5397c(c)(2), (3), (7), and (8) and § 60.5397c(d), as applicable. The provisions of § 60.5397c(d)(3) do not

apply for purposes of conducting monitoring surveys required by paragraphs (b)(5)(ii) through (iv) of this section.

(vii) Procedures and timeframes for identifying and repairing fugitive emissions components, covers, and closed vent systems from which emissions are detected.

(viii) Procedures and timeframes for verifying repairs for fugitive emissions components, covers, and closed vent systems.

(ix) Records that will be kept and the length of time records will be kept.

(3) You must conduct the initial screening of your site according to the timeframes specified in (b)(3)(i) and (ii) of this section.

(i) Within 90 days of the effective date of your state or Tribal plan for each fugitive emissions components designated facility and storage vessel designated facility located at a well site.

(ii) No later than the final date by which the next monitoring survey required by § 60.5397c(g)(1)(i) through (v) would have been required to be conducted if you were previously complying with the requirements in § 60.5397c and § 60.5416c.

(4) If you are required to conduct an annual OGI survey by paragraph (b)(1)(i) or (iii) of this section, you must conduct OGI surveys according to the schedule in paragraphs (b)(4)(i) through (iv) of this section.

(i) You must conduct the initial OGI survey no later than 12 calendar months after conducting the initial screening survey in paragraph (b)(3) of this section.

(ii) Each subsequent OGI survey must be conducted no later than 12 calendar months after the previous OGI survey was conducted. Each identified source of fugitive emissions during the OGI survey shall be repaired in accordance with § 60.5397c(h).

(iii) If you replace a periodic screening event with an OGI survey or you are required to conduct a monitoring survey in accordance with paragraph (b)(5)(ii)(A) of this section prior to the date that your next OGI survey under paragraph (b)(4)(ii) of this section is due, the OGI survey conducted in lieu of the periodic screening event or the monitoring survey under paragraph (b)(5)(ii)(A) of this section can be used to fulfill the requirements of paragraph (b)(4)(ii) of this section. The next OGI survey is required to be conducted no later than 12 calendar months after the date of the survey conducted under paragraph (b)(1)(iv) or (b)(5)(ii)(A) of this section.

(iv) You cannot use a monitoring survey conducted under paragraph

(b)(5)(iii)(A) or (b)(5)(iv)(A) of this section to fulfill the requirements of paragraph (b)(4)(ii) of this section unless the monitoring survey included all fugitive emission components at the site.

(5) You must investigate confirmed detections of emissions from periodic screening events and repair each identified source of emissions in accordance with paragraphs (b)(5)(i) through (vi) of this section.

(i) You must receive the results of the periodic screening no later than 5 calendar days after the screening event occurs.

(ii) If you use an alternative test method with a facility-level spatial resolution to conduct a periodic screening event and the results of the periodic screening event indicate a confirmed detection of emissions from a designated facility, you must take the actions listed in paragraphs (b)(5)(ii)(A) through (C) of this section.

(A) You must conduct a monitoring survey of all the fugitive emissions components in a designated facility using either OGI or EPA Method 21 to appendix A-7 of this part. You must follow the procedures in your monitoring plan when conducting the survey.

(B) You must inspect all covers and closed vent system(s) with OGI or Method 21 of appendix A-7 to this part in accordance with the requirements in § 60.5416c(b)(1) through (4), as applicable.

(C) You must conduct a visual inspection of all covers and closed vent systems to identify if there are any defects, as defined in § 60.5416c(a)(1)(ii), § 60.5416c(a)(2)(iii), or § 60.5416c(a)(3)(i), as applicable.

(iii) If you use an alternative test method with an area-level spatial resolution to conduct a periodic screening event and the results of the periodic screening event indicate a confirmed detection of emissions from a designated facility, you must take the actions listed in paragraphs (b)(5)(iii)(A) and (B) of this section, as applicable.

(A) You must conduct a monitoring survey of all the fugitive emissions components located within a 4-meter radius of the location of the periodic screening's confirmed detection using either OGI or EPA Method 21 to appendix A-7 of this part. You must follow the procedures in your monitoring plan when conducting the survey.

(B) If the confirmed detection occurred in the portion of a site that contains a storage vessel or a closed vent system, you must inspect all covers and all closed vent systems that are

connected to all storage vessels and closed vent systems that are within a 2-meter radius of the location of the periodic screening's confirmed detection (*i.e.*, you must inspect the whole system that is connected to the portion of the system in the radius of the detected event, not just the portion of the system that falls within the radius of the detected event).

(1) You must inspect the cover(s) and closed vent system(s) with OGI or Method 21 of appendix A-7 to this part in accordance with the requirements in § 60.5416c(b)(1) through (4), as applicable.

(2) You must conduct a visual inspection of the closed vent system(s) and cover(s) to identify if there are any defects, as defined in § 60.5416c(a)(1)(ii), § 60.5416c(a)(2)(iii), or § 60.5416c(a)(3)(i), as applicable.

(iv) If you use an alternative test method with a component-level spatial resolution to conduct a periodic screening event and the results of the periodic screening event indicate a confirmed detection of emissions from a designated facility, you must take the actions listed in paragraphs (b)(5)(iv)(A) and (B) of this section, as applicable.

(A) You must conduct a monitoring survey of all the fugitive emissions components located within a 1-meter radius of the location of the periodic screening's confirmed detection using either OGI or EPA Method 21 to appendix A-7 of this part. You must follow the procedures in your monitoring plan when conducting the survey.

(B) If the confirmed detection occurred in the portion of a site that contains a storage vessel or a closed vent system, you must inspect all covers and all closed vent systems that are connected to all storage vessels and closed vent systems that are within a 0.5-meter radius of the location of the periodic screening's confirmed detection (*i.e.*, you must inspect the whole system that is connected to the portion of the system in the radius of the detected event, not just the portion of the system that falls within the radius of the detected event).

(1) You must inspect the cover(s) and closed vent system(s) with OGI or Method 21 of appendix A-7 to this part in accordance with the requirements in § 60.5416c(b)(1) through (4), as applicable.

(2) You must conduct a visual inspection of the closed vent system(s) and cover(s) to identify if there are any defects, as defined in § 60.5416c(a)(1)(ii), § 60.5416c(a)(2)(iii), or § 60.5416c(a)(3)(i), as applicable.

(v) You must repair all sources of fugitive emissions in accordance with § 60.5397c(h) and all emissions or defects of covers and closed vent systems in accordance with § 60.5416c(b)(4), except as specified in this paragraph (b)(5)(v). Except as allowed by §§ 60.5397c(h)(3) and 60.5416c(b)(5), all repairs must be completed, including the resurvey verifying the repair, within 30 days of receiving the results of the periodic screening in paragraph (b)(5)(i) of this section.

(vi) If the results of the periodic screening event in paragraph (b)(5)(i) of this section indicate a confirmed detection at a designated facility, and the ground-based monitoring survey and inspections required by paragraphs (b)(5)(ii) through (iv) of this section demonstrate the confirmed detection was caused by a failure of a control device used to demonstrate continuous compliance under this subpart, you must initiate an investigative analysis to determine the underlying primary and other contributing cause(s) of such failure within 24 hours of receiving the results of the monitoring survey and/or inspection. As part of the investigation, you must determine if the control device is operating in compliance with the applicable requirements of §§ 60.5415c and 60.5417c, and if not, what actions are necessary to bring the control device into compliance with those requirements as soon as possible and prevent future failures of the control device from the same underlying cause(s).

(vii) If the results of the inspections required in paragraphs (b)(5)(ii) through (iv) of this section indicate that there is an emission or defect in your cover or closed vent system, you must perform an investigative analysis to determine the underlying primary and other contributing cause(s) of emissions from your cover or closed vent system within 5 days of completing the inspection required by paragraphs (b)(5)(ii) through (iv) of this section. The investigative analysis must include a determination as to whether the system was operated outside of the engineering design analysis and whether updates are necessary for the cover or closed vent system to prevent future emissions from the cover and closed vent system.

(6) You must maintain the records as specified in § 60.5420c(c)(3) through (c)(6), (c)(13) and (c)(14) and § 60.5424c.

(7) You must submit reports as specified in § 60.5424c.

(c) * * *

(5) * * *

(ii) Verify control devices (e.g., flares) on all affected sources are operating in compliance with the applicable requirements of §§ 60.5415c and 60.5417c. You must ensure that all control devices are operating in compliance with the applicable regulations prior to beginning the period in paragraph (c)(5)(iii) of this section. Verify that all other methane emission sources (e.g., reciprocating engines) located at the site are operating consistent with any applicable regulations. You must ensure that these sources are operating in compliance with the applicable regulations prior to beginning the period in paragraph (c)(5)(iii) of this section.

* * * * *

■ 50. Amend § 60.5400c by revising paragraphs (a)(1), (k), and (l) to read as follows:

§ 60.5400c What GHG standards apply to process unit equipment designated facilities?

* * * * *

(a) * * *

(1) Each piece of equipment is presumed to have the potential to emit methane unless an owner or operator demonstrates that the piece of equipment does not have the potential to emit methane. For a piece of equipment to be considered not to have the potential to emit methane, the methane content of a gaseous stream must be below detection limits using Method 18 of appendix A–6 of this part. Alternatively, if the piece of equipment is in wet gas service, you may choose to determine the methane content of the stream is below the detection limit of the methods described in ASTM E168–16(R2023), E169–16(R2022), or E260–96 (all incorporated by reference, see § 60.17).

* * * * *

(k) *Reporting.* You must perform the reporting requirements as specified in § 60.5420c(b)(1) and (10) through (12), as applicable, and § 60.5422c.

(l) *Recordkeeping.* You must perform the recordkeeping requirements as specified in § 60.5420c(c)(7) and (9) through (12), as applicable, and § 60.5421c.

■ 51. Amend § 60.5401c by revising and republishing paragraphs (a) introductory text, (b), (c)(5), (f), (l), and (m) to read as follows:

§ 60.5401c What are the alternative GHG standards for process unit equipment designated facilities?

* * * * *

(a) *General standards.* You must comply with the requirements in paragraph (b) of this section for each

pump in light liquid service. You must comply with the requirements of paragraph (c) of this section for each pressure relief device in gas/vapor service. You must comply with the requirements in paragraph (d) of this section for each open-ended valve or line. You must comply with the requirements in paragraph (e) of this section for each closed vent system and control device used to comply with equipment leak provisions in this section. You must comply with paragraph (f) of this section for each valve in gas/vapor or light liquid service. You must comply with paragraph (g) of this section for each pump, valve, and connector in heavy liquid service and pressure relief device in light liquid or heavy liquid service. You must comply with paragraph (h) of this section for each connector in gas/vapor and light liquid service. You must make repairs as specified in paragraph (i) of this section. You must demonstrate initial compliance with the standards as specified in paragraph (j) of this section. You must demonstrate continuous compliance with the standards as specified in paragraph (k) of this section. You must perform the reporting requirements as specified in paragraph (l) of this section. You must perform the recordkeeping requirements as required in paragraph (m) of this section.

* * * * *

(b) *Pumps in light liquid service.* You must monitor each pump in light liquid service monthly to detect leaks by the methods specified in § 60.5406c, except as provided in paragraphs (b)(2) through (6) of this section. A leak is defined as an instrument reading of 2,000 ppmv or greater. A pump that begins operation in light liquid service after the initial startup date for the process unit must be monitored for the first time within 30 days after the end of its startup period, except for a pump that replaces a leaking pump and except as provided in paragraphs (b)(2) through (6) of this section.

(1) In addition to the requirements in paragraph (b) of this section, you must conduct weekly visual inspections of all pumps in light liquid service for indications of liquids dripping from the pump seal. If there are indications of liquids dripping from the pump seal, you must follow the procedure specified in either paragraph (b)(1)(i) or (ii) of this section.

(i) Monitor the pump within 5 days using the methods specified in § 60.5406c. A leak is defined as an instrument reading of 2,000 ppmv or greater.

(ii) Designate the visual indications of liquids dripping as a leak, and repair the leak as specified in paragraph (i) of this section.

(2) Each pump equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements in paragraph (b) of this section, provided the requirements specified in paragraphs (b)(2)(i) through (v) of this section are met.

(i) Each dual mechanical seal system meets the requirements of paragraphs (b)(2)(i)(A), (B), or (C) of this section.

(A) Operated with the barrier fluid at a pressure that is at all times greater than the pump stuffing box pressure; or

(B) Equipped with a barrier fluid degassing reservoir that is routed to a process or fuel gas system or connected by a closed vent system to a control device that complies with the requirements of paragraph (e) of this section; or

(C) Equipped with a system that purges the barrier fluid into a process stream with zero methane emissions to the atmosphere.

(ii) The barrier fluid system is in heavy liquid service or does not have the potential to emit methane.

(iii) Each barrier fluid system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both.

(iv) Each pump is checked according to the requirements in paragraph (b)(1) of this section.

(v) Each sensor meets the requirements in paragraphs (b)(2)(v)(A) through (C) of this section.

(A) Each sensor as described in paragraph (b)(2)(iii) of this section is checked daily or is equipped with an audible alarm.

(B) You determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier fluid system, or both.

(C) If the sensor indicates failure of the seal system, the barrier fluid system, or both, based on the criterion established in paragraph (b)(2)(v)(B) of this section, a leak is detected.

(3) Any pump that is designated, as described in § 60.5421c(b)(12), for no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, is exempt from the requirements of paragraphs (b), (b)(1), and (b)(2) of this section if the pump:

(i) Has no externally actuated shaft penetrating the pump housing;

(ii) Is demonstrated to be operating with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background

as measured by the methods specified in § 60.5406c; and

(iii) Is tested for compliance with paragraph (b)(3)(ii) of this section initially upon designation, annually, and at other times requested by the Administrator.

(4) If any pump is equipped with a closed vent system capable of capturing and transporting any leakage from the seal or seals to a process, fuel gas system, or a control device that complies with the requirements of paragraph (e) of this section, it is exempt from paragraphs (b) introductory text and (b)(1) through (3) of this section, and the repair requirements of paragraph (i) of this section.

(5) Any pump that is designated, as described in § 60.5421c(b)(13), as an unsafe-to-monitor pump is exempt from the monitoring and inspection requirements of paragraphs (b) introductory text, (b)(1), and (b)(2)(iv) and (v) of this section if the conditions in paragraph (b)(5)(i) and (ii) are met.

(i) You demonstrate that the pump is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (b) of this section; and

(ii) You have a written plan that requires monitoring of the pump as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and you repair the equipment according to the procedures in paragraph (i) of this section if a leak is detected.

(6) Any pump that is located within the boundary of an unmanned plant site is exempt from the weekly visual inspection requirements in paragraph (b)(1) and (b)(2)(iv) of this section, and the daily requirements of paragraph (b)(2)(v) of this section, provided that each pump is visually inspected as often as practicable and at least monthly.

(c) * * *

(5) Pressure relief devices equipped with a rupture disk are exempt from the requirements of paragraphs (c)(1) and (2) of this section provided you install a new rupture disk upstream of the pressure relief device as soon as practicable, but no later than 5 calendar days after each pressure release, except as provided in paragraph (i)(6) of this section.

* * * * *

(f) *Valves in gas/vapor and light liquid service.* You must monitor each valve in gas/vapor and in light liquid service quarterly to detect leaks by the methods specified in § 60.5406c, except

as provided in paragraphs (f)(3) through (5) of this section.

(1) A valve that begins operation in gas/vapor service or in light liquid service after the initial startup date for the process unit must be monitored for the first time within 90 days after the end of its startup period to ensure proper installation, except for a valve that replaces a leaking valve and except as provided in paragraphs (f)(3) through (5) of this section.

(2) An instrument reading of 500 ppmv or greater is a leak. You must repair each leaking valve according to the requirements in paragraph (i) of this section.

(3) Any valve that is designated, as described in § 60.5421c(b)(12), for no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, is exempt from the monitoring requirements of paragraph (f) of this section if the valve:

(i) Has no externally actuating mechanism in contact with the process fluid;

(ii) Is operated with emissions less than 500 ppmv above background as determined by the methods specified in § 60.5406c; and

(iii) Is tested for compliance with paragraph (f)(3)(ii) of this section initially upon designation, annually, and at other times requested by the Administrator.

(4) Any valve that is designated, as described in § 60.5421c(b)(13), as an unsafe-to-monitor valve is exempt from the monitoring requirements of paragraph (f) of this section if the requirements in paragraphs (f)(4)(i) and (ii) of this section are met.

(i) You demonstrate that the valve is unsafe-to-monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with paragraph (f) of this section; and

(ii) You have a written plan that requires monitoring of the valve as frequently as practicable during safe-to-monitor times, but not more frequently than the periodic monitoring schedule otherwise applicable, and you repair the equipment according to the procedures in paragraph (i) of this section if a leak is detected.

(5) Any valve that is designated, as described in § 60.5421c(b)(14), as a difficult-to-monitor valve is exempt from the monitoring requirements of paragraph (f) of this section if the requirements in paragraph (f)(5)(i) through (iii) of this section are met.

(i) You demonstrate that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface.

(ii) The process unit within which the valve is located has less than 3.0 percent of its total number of valves designated as difficult-to-monitor.

(iii) You have a written plan that requires monitoring of the at least once per calendar year.

* * * * *

(l) *Reporting.* You must perform the reporting requirements as specified in § 60.5420c(b)(1) and (10) through (12), as applicable, and § 60.5422c.

(m) *Recordkeeping.* You must perform the recordkeeping requirements as specified in § 60.5420c(c)(7) and (9) through (12), as applicable, and § 60.5421c.

■ 52. Amend § 60.5402c by revising paragraph (d) introductory text to read as follows:

§ 60.5402c What are the exceptions to the GHG standards for process unit equipment designated facilities?

* * * * *

(d) You may use the following provisions instead of § 60.5406c(d):

* * * * *

■ 53. Amend § 60.5405c by revising paragraphs (a) introductory text, (a)(2), and (c)(4)(ii) to read as follows:

§ 60.5405c What test methods and procedures must I use for my centrifugal compressor and reciprocating compressor designated facilities?

(a) You must use one of the methods described in paragraphs (a)(1) and (2) of this section to screen for emissions or leaks from the reciprocating compressor rod packing when complying with § 60.5393c(b)(1)(iii), (b)(2)(i), or (c)(2)(iv), and from the compressor dry and wet seal vents when complying with § 60.5392c(a)(2)(i)(A).

* * * * *

(2) *Method 21.* Use Method 21 in appendix A-7 to this part according to § 60.5406c(b)(1) and (2). For the purposes of this section, an instrument reading of 500 ppmv above background or greater is a leak.

* * * * *

(c) * * *

(4) * * *

(ii) The flow measurement sensor(s) must be capable of taking a measurement once every second, and the data system must be capable of recording these results for each sensor at all times during operation of the sampler.

* * * * *

■ 54. Amend § 60.5406c by revising paragraph (c) introductory text to read as follows:

§ 60.5406c What test methods and procedures must I use for my process unit equipment designated facilities?

* * * * *

(c) You shall determine compliance with the no detectable emission standards in § 60.5401c(b) and (f) as specified in paragraphs (c)(1) and (2) of this section.

* * * * *

■ 55. Section 60.5410c is revised and republished to read as follows:

§ 60.5410c How do I demonstrate initial compliance with the standards for each of my designated facilities?

(a) *Gas well liquids unloading standards for well designated facility.* To demonstrate initial compliance with the GHG standards for each gas well liquids unloading operation conducted at your well designated facility as required by § 60.5390c, you must comply with paragraphs (a)(1) through (4) of this section, as applicable.

(1) You must submit the initial annual report for your well designated facility as required in § 60.5420c(b)(1) and (2).

(2) If you comply by using a liquids unloading technology or technique that does not vent to the atmosphere according to § 60.5390c(a)(1), you must maintain the records specified in § 60.5420c(c)(1)(i).

(3) If you comply by using a liquids unloading technology or technique that vents to the atmosphere according to § 60.5390c(a)(2), (b) and (c), you must comply with paragraphs (a)(3)(i) and (ii) of this section.

(i) Employ best management practices to minimize venting of methane emissions as specified in § 60.5390c(c) for each gas well liquids unloading operation.

(ii) Maintain the records specified in § 60.5420c(c)(1)(ii).

(4) If you comply by using § 60.5390c(g), you must comply with paragraphs (b)(4)(i) through (vi) of this section.

(i) Reduce methane emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413c.

(ii) Install a closed vent system that meets the requirements of § 60.5411c(a) and (c) to capture all emissions and route all emissions to a control device that meets the conditions specified in § 60.5412c.

(iii) Conduct an initial performance test as required in § 60.5413c within 180 days after the initial gas well liquids unloading operation or install a control device tested under § 60.5413c(d) which meets the criteria in § 60.5413c(d)(11) and (e), and comply with the continuous compliance requirements of § 60.5415c(e).

(iv) Conduct the initial inspections required in § 60.5416c(a) and (b).

(v) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417c(a) through (i), as applicable.

(vi) Maintain the records specified in § 60.5420c(c)(1)(iii), (c)(7), and (c)(9) through (12), as applicable and submit the reports as required by § 60.5420c(b)(10) through (12), as applicable.

(b) *Associated gas well standards for well designated facility.* To demonstrate initial compliance with the GHG standards for each associated gas well as required by § 60.5391c, you must comply with paragraphs (b)(1) through (5) of this section.

(1) If you comply with the requirements of § 60.5391c(a), you must maintain the records specified in § 60.5420c(c)(2)(i) and (ii), as applicable, and submit the information required by § 60.5420c(b)(3)(i) through (v) in your initial annual report.

(2) If you comply with § 60.5391c(b) because you have demonstrated that annual methane emissions are 40 tons per year or less, you must document the calculation of annual methane emissions determined in accordance with § 60.5391c(e)(1) and submit them in the initial annual report as required by paragraph (b)(5) of this section, and comply with paragraphs (b)(4) of this section.

(3) If you comply with § 60.5391c(b) because you have demonstrated that it is not feasible to comply with § 60.5391c(a)(1), (2), (3), or (4) due to technical reasons, document the initial demonstration and certification of the technical reason in accordance with § 60.5391c(b)(2), maintain the documentation in accordance with § 60.5391c(b)(2)(iv), and comply with paragraphs (b)(4) of this section. Submit this documentation in the initial annual report as required by paragraph (b)(5) of this section and comply with paragraph (b)(4) of this section.

(4) If you comply with § 60.5391c(b) or (c), you must comply with paragraphs (b)(4)(i) through (vi) of this section.

(i) Reduce methane emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413c.

(ii) Install a closed vent system that meets the requirements of § 60.5411c(a) and (c) to capture the associated gas and route the captured associated gas to a control device that meets the conditions specified in § 60.5412c.

(iii) Conduct an initial performance test as required in § 60.5413c within 180 days after initial startup or by 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)),

whichever date is later, or install a control device tested under § 60.5413c(d) which meets the criteria in § 60.5413c(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415c(e).

(iv) Conduct the initial inspections required in § 60.5416c(a) and (b).

(v) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417c(a) through (i), as applicable.

(vi) Maintain the records specified in § 60.5420c(c)(2)(ii) and (v) and (c)(7) and (9) through (12), as applicable.

(5) You must submit the initial annual report for your associated gas well at a well designated facility as required in § 60.5420c(b)(1), (3), and (10) through (12), as applicable.

(c) *Centrifugal compressor designated facility.* To demonstrate initial compliance with the GHG standards in § 60.5392c(a)(1) and (2) for your centrifugal compressors (including both wet seal centrifugal compressors and dry seal centrifugal compressors) that require volumetric flow rate measurements, you must comply with paragraphs (c)(1), (6), and (7) of this section. Alternatively, if you comply with the GHG standards for your wet seal and dry seal centrifugal compressor designated facility by reducing methane emissions from each centrifugal compressor wet seal fluid degassing system by 95.0 percent in accordance with § 60.5392c(a)(3) and (4), you must achieve initial compliance by complying with paragraphs (c)(2) through (7) of this section. If you comply with the GHG standards for your wet seal and dry seal centrifugal compressor designated facility by routing emissions from the wet seal fluid degassing system through a closed vent system to a process in accordance with § 60.5392c(a)(5), you must achieve initial compliance by complying with paragraphs (c)(2), (4), (6), and (7) of this section.

(1) You must maintain the volumetric flow rates for your centrifugal compressors as specified in paragraphs (c)(1)(i) through (iii) of this section, as applicable. You must conduct your initial annual volumetric measurement as required by § 60.5392c(a)(1).

(i) For your wet seal centrifugal compressors (including self-contained wet seal centrifugal compressors), you must maintain the volumetric flow rate at or below 3 scfm per seal.

(ii) For your Alaska North Slope centrifugal compressor equipped with sour seal oil separator and capture system, you must maintain the

volumetric flow rate at or below 9 scfm per seal.

(iii) For your dry seal compressor, you must maintain the volumetric flow rate at or below 10 scfm per seal.

(2) If you use a control device to reduce emissions to comply with § 60.5392c(a)(4) or route the emissions to a process to comply with § 60.5392c(a)(5), you must equip the wet seal fluid degassing system or dry seal system with a cover that meets the requirements of § 60.5411c(b) and route the captured vapors through a closed vent system that meets the requirements of § 60.5411c(a) and (c) and is routed to a control device or process.

(3) If you use a control device to comply with § 60.5392c(a)(4), you must conduct an initial performance test as required in § 60.5413c within 180 days after initial startup, or by 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), whichever date is later, or install a control device tested under § 60.5413c(d) which meets the criteria in § 60.5413c(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415c(e).

(4) If you use a control device to comply with § 60.5392c(a)(4) or comply with § 60.5392c(a)(5) by routing to a process, you must conduct the initial inspections required in § 60.5416c(a) and (b).

(5) If you use a control device to comply with § 60.5392c(a)(4), you must install and operate the continuous parameter monitoring systems in accordance with § 60.5417c(a) through (i), as applicable.

(6) You must submit the initial annual report for your centrifugal compressor designated facility as required in § 60.5420c(b)(1) and (4) and (b)(10) through (12), as applicable.

(7) You must maintain the records as specified in § 60.5420c(c)(3) and (c)(7) through (12), as applicable.

(d) *Reciprocating compressor designated facility.* To demonstrate initial compliance with the GHG standards for each reciprocating compressor designated facility as required by § 60.5393c, you must comply with paragraphs (d)(1) through (7) of this section.

(1) If you comply with § 60.5393c(a) by maintaining volumetric flow rate at or below 2 scfm per cylinder (or a combined cylinder emission flow rate greater than the number of compression cylinders multiplied by 2 scfm) as required by § 60.5393c(a), you must maintain volumetric flow rate at or below 2 scfm and you must conduct your initial annual volumetric flow rate

measurement as required by § 60.5393c(a)(1).

(2) If you comply with § 60.5393c by collecting the methane emissions from your reciprocating compressor rod packing using a rod packing emissions collection system to a process as required by § 60.5393c(d)(1), you must equip the reciprocating compressor with a cover that meets the requirements of § 60.5411c(b), route emissions to a process through a closed vent system that meets the requirements of § 60.5411c(a) and (c), and you must conduct the initial inspections required in § 60.5416c(a) and (b).

(3) If you comply with § 60.5393c(d) by collecting emissions from your rod packing emissions collection system by using a control device to reduce methane emissions by 95.0 percent as required by § 60.5393c(d)(2), you must equip the reciprocating compressor with a cover that meets the requirements of § 60.5411c(b), route emissions to a control device that meets the conditions specified in § 60.5412c through a closed vent system that meets the requirements of § 60.5411c(a) and (c), and you must conduct the initial inspections required in § 60.5416c(a) and (b).

(4) If you comply with § 60.5393c(d)(2), you must conduct an initial performance test as required in § 60.5413c within 180 days after initial startup, or by 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), whichever date is later, or install a control device tested under § 60.5413c(d) which meets the criteria in § 60.5413c(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415c(e).

(5) If you comply with § 60.5393c(d)(2), you must install and operate the continuous parameter monitoring systems in accordance with § 60.5417c(a) through (i), as applicable.

(6) You must submit the initial annual report for your reciprocating compressor as required in § 60.5420c(b)(1), (5), and (10) through (12), as applicable.

(7) You must maintain the records as specified in § 60.5420c(c)(4) and (7) through (12), as applicable.

(e) *Process controller designated facility.* To demonstrate initial compliance with GHG emission standards for your process controller designated facility, you must comply with paragraphs (e)(1) through (5) of this section, as applicable. If you change compliance methods, you must also perform the applicable compliance demonstrations of paragraphs (e)(1) through (3) of this section again for the new compliance method, note the change in compliance method in the

annual report required by § 60.5420c(b)(6)(iv), and maintain the records required by paragraph (e)(1)(i) or (ii) of this section, as applicable, for the new compliance method.

(1) For process controller designated facilities complying with the requirements of § 60.5394c(a), you must demonstrate that your process controller designated facility does not emit any methane to the atmosphere by meeting the requirements of paragraphs (e)(1)(i) and (ii) of this section.

(i) If you comply by routing the emissions to a process, you must meet the requirements for closed vent systems specified in paragraph (e)(3) of this section.

(ii) If you comply by using a self-contained natural gas-driven process controller, you must conduct an initial no identifiable emissions inspection required by § 60.5416c(b).

(2) For each process controller designated facility located at a site in Alaska that does not have access to electrical power, you must demonstrate initial compliance with § 60.5394c(b)(1) and (2) or with § 60.5394c(b)(3), as an alternative to complying with paragraph § 60.5394c(a) by meeting the requirements specified in (e)(2)(i) through (v) of this section for each process controller, as applicable.

(i) For each process controller in the process controller designated facility operating with a bleed rate of less than or equal to 6 scfh, you must maintain records in accordance with § 60.5420c(c)(5)(iii)(A) that demonstrate the process controller is designed and operated to achieve a bleed rate less than or equal to 6 scfh.

(ii) For each process controller in the process controller designated facility operating with a bleed rate greater than 6 scfh, you must maintain records that demonstrate that a controller with a higher bleed rate than 6 scfh is required based on a specific functional need for that controller as specified in § 60.5420c(c)(5)(iii)(B).

(iii) For each intermittent vent process controller in the process controller designated facility you must demonstrate that each intermittent vent controller does not emit to the atmosphere during idle periods by conducting initial monitoring in accordance with § 60.5394c(b)(2)(ii).

(iv) For each process controller designated facility that complies by reducing methane emissions from all controllers in the process controller designated facility by 95.0 percent in accordance with § 60.5394c(b)(3), you must comply with paragraphs (e)(2)(iv)(A) through (D) of this section.

(A) Reduce methane emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413c.

(B) Route all process controller designated facility emissions to a control device that meets the conditions specified in § 60.5412c through a closed vent system that meets the requirements specified in paragraph (e)(3) of this section.

(C) Conduct an initial performance test as required in § 60.5413c within 180 days after initial startup, or by 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), whichever date is later, or install a control device tested under § 60.5413c(d) which meets the criteria in § 60.5413c(d)(11) and (e) and you must comply with the continuous compliance requirements of § 60.5415c(e).

(D) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417c(a) through (i), as applicable.

(3) For each closed vent system used to comply with § 60.5394c, you must meet the requirements specified in paragraphs (e)(3)(i) and (ii) of this section.

(i) Install a closed vent system that meets the requirements of § 60.5411c(a) and (c).

(ii) Conduct the initial inspections of the closed vent system and bypasses, if applicable, as required in § 60.5416c(a) and (b).

(4) You must submit the initial annual report for your process controller designated facility as required in § 60.5420c(b)(1) and (6).

(5) You must maintain the records as specified in § 60.5420c(c)(5).

(f) *Pump designated facility.* To demonstrate initial compliance with the GHG standards for your pump designated facility as required by § 60.5395c, you must comply with paragraphs (f)(1) through (4) of this section, as applicable. If you change compliance methods, you must also perform the applicable compliance demonstrations of paragraphs (f)(1) and (2) of this section again for the new compliance method, note the change in compliance method in the annual report required by § 60.5420c(b)(9)(v), and maintain the records required by paragraph (f)(4) of this section for the new compliance method.

(1) For pump designated facilities complying with the requirements of § 60.5395c(a) or (b)(2) by routing emissions to a process, you must meet the requirements specified in paragraphs (f)(1)(ii) and (iv) of this section. For pump designated facilities

complying with the requirements of § 60.5395c(b)(3), you must meet the requirements specified in paragraphs (f)(1)(i) through (v) of this section.

(i) Reduce methane emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413c.

(ii) Install a closed vent system that meets the requirements of § 60.5411c(a) and (c) to capture all emissions from all pumps in the pump designated facility and route all emissions to a process or control device that meets the conditions specified in § 60.5412c.

(iii) Conduct an initial performance test as required in § 60.5413c within 180 days after initial startup, or by 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), whichever date is later, or install a control device tested under § 60.5413c(d) which meets the criteria in § 60.5413c(d)(11) and (e), and you must comply with the continuous compliance requirements of § 60.5415c(e).

(iv) Conduct the initial inspections of the closed vent system and bypasses, if applicable, as required in § 60.5416c(a) and (b).

(v) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417c(a) through (i), as applicable.

(2) Submit the certifications specified in paragraphs (f)(2)(i) through (iii) of this section, as applicable.

(i) The certification required by § 60.5395c(b)(3) that there is no vapor recovery unit on site and that there is a control device on site, but it does not achieve a 95.0 percent emissions reduction.

(ii) The certification required by § 60.5395c(b)(4) that there is no control device or process available on site.

(iii) The certification required by § 60.5395c(b)(7)(i) that it is technically infeasible to capture and route the pump designated facility emissions to a process or an existing control device.

(3) You must submit the initial annual report for your pump designated facility as specified in § 60.5420c(b)(1) and (9) through (12), as applicable.

(4) You must maintain the records for your pump designated facility as specified in § 60.5420c(c)(7) and (9) through (12), as applicable, and (c)(14).

(g) *Process unit equipment designated facility.* To achieve initial compliance with the GHG standards for process unit equipment designated facilities as required by § 60.5400c, you must comply with paragraphs (g)(1) through (4) and (11) through (15) of this section, unless you meet and comply with the exception in § 60.5402c(b), (e), or (f) or meet the exemption in § 60.5402c(c). If

you comply with the GHG standards for process unit equipment designated facilities using the alternative standards in § 60.5401c, you must comply with paragraphs (g)(5) through (15) of this section, unless you meet and comply with the exemption in § 60.5402c(b) or (c) or the exception in § 60.5402c(e) or (f).

(1) You must conduct monitoring for each pump in light liquid service, pressure relief device in gas/vapor service, valve in gas/vapor or light liquid service and connector in gas/vapor or light liquid service as required by § 60.5400c(b).

(2) You must conduct monitoring as required by § 60.5400c(c) for each pump in light liquid service.

(3) You must conduct monitoring as required by § 60.5400c(d) for each pressure relief device in gas/vapor service.

(4) You must comply with the equipment requirements for each open-ended valve or line as required by § 60.5400c(e).

(5) You must conduct monitoring for each pump in light liquid service as required by § 60.5401c(b).

(6) You must conduct monitoring for each pressure relief device in gas/vapor service as required by § 60.5401c(c).

(7) You must comply with the equipment requirements for each open-ended valve or line as required by § 60.5401c(d).

(8) You must conduct monitoring for each valve in gas/vapor or light liquid service as required by § 60.5401c(f).

(9) You must conduct monitoring for each pump, valve, and connector in heavy liquid service and each pressure relief device in light liquid or heavy liquid service as required by § 60.5401c(g).

(10) You must conduct monitoring for each connector in gas/vapor or light liquid service as required by § 60.5401c(h).

(11) For each pump equipped with a dual mechanical seal system that degasses the barrier fluid reservoir to a process or a control device, each pump which captures and transports leakage from the seal or seals to a process or a control device, or each pressure relief device which captures and transports leakage through the pressure relief device to a process or a control device, you must meet the requirements of paragraph (g)(11)(i) through (vi) of this section.

(i) Reduce methane emissions by 95.0 percent or greater and as demonstrated by the requirements of § 60.5413c or route to a process.

(ii) Install a closed vent system that meets the requirements of § 60.5411c(a)

and (c) to capture all emissions from each pump equipped with a dual mechanical seal system that degasses the barrier fluid reservoir, each pump which captures and transports leakage from the seal or seals, or each pressure relief device which captures and transports leakage through the pressure relief device and route all emissions to a process or to a control device that meets the conditions specified in § 60.5412c.

(iii) If routing to a control device, conduct an initial performance test as required in § 60.5413c within 180 days after initial startup, or by 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), whichever date is later, or install a control device tested under § 60.5413c(d) which meets the criteria in § 60.5413c(d)(11) and (e), and you must comply with the continuous compliance requirements of § 60.5415c(e).

(iv) Conduct the initial inspections of the closed vent system and bypasses, if applicable, as required in § 60.5416c(a) and (b).

(v) Install and operate the continuous parameter monitoring systems in accordance with § 60.5417c(a) through (i), as applicable.

(vi) Maintain the records as required by § 60.5420c(c)(7) and (c)(9) through (12), as applicable and submit the reports as required by § 60.5420c(b)(10) through (12), as applicable.

(12) You must tag and repair each identified leak as required in § 60.5400c(h) or § 60.5401c(i), as applicable.

(13) You must submit the notice required by § 60.5420c(a)(2).

(14) You must submit the initial semiannual report and subsequent semiannual report as required by § 60.5422c.

(15) You must maintain the records specified by § 60.5421c.

(h) *Storage vessel designated facility.* To achieve initial compliance with the GHG standards for each storage vessel designated facility as required by § 60.5396c, you must comply with paragraphs (h)(1) through (9) of this section. To achieve initial compliance with the GHG standards for each storage vessel designated facility that complies by using a floating roof in accordance with § 60.5396c(b)(2), you must comply with paragraph (h)(1) and (10) of this section.

(1) You must determine the potential for methane emissions as specified in § 60.5386c(e)(2).

(2) You must reduce methane emissions by 95.0 percent or greater according to § 60.5396c(a) and as

demonstrated by the requirements of § 60.5413c or route to a process.

(3) If you use a control device to reduce emissions, you must equip each storage vessel in the storage vessel designated facility with a cover that meets the requirements of § 60.5411c(b), install a closed vent system that meets the requirements of § 60.5411c(a) and (c) to capture all emissions from the storage vessel designated facility, and route all emissions to a control device that meets the conditions specified in § 60.5412c. If you route emissions to a process, you must equip each storage vessel in the storage vessel affected facility with a cover that meets the requirements of § 60.5411c(b), install a closed vent system that meets the requirements of § 60.5411c(a) and (c) to capture all emissions from the storage vessel affected facility, and route all emissions to a process.

(4) If you use a control device to reduce emissions, you must conduct an initial performance test as required in § 60.5413c within 180 days after initial startup, or within 180 days 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), whichever date is later, or install a control device tested under § 60.5413c(d) which meets the criteria in § 60.5413c(d)(11) and (e), and you must comply with the continuous compliance requirements of § 60.5415c(e).

(5) You must conduct the initial inspections of the closed vent system and bypasses, if applicable, as required in § 60.5416c(a) and (b).

(6) You must install and operate the continuous parameter monitoring systems in accordance with § 60.5417c(a) through (i), as applicable.

(7) You must maintain the records as required by § 60.5420c(c)(7) through (12), as applicable and submit the reports as required by § 60.5420c(b)(10) through (12), as applicable.

(8) You must submit the initial annual report for your storage vessel designated facility required by § 60.5420c(b)(1) and (7).

(9) You must maintain the records required for your storage vessel designated facility, as specified in § 60.5420c(c)(6) for each storage vessel designated facility.

(10) For each storage vessel designated facility that complies by using a floating roof, you must meet the requirements of § 60.112b(a)(1) or (2) and the relevant monitoring, inspection, recordkeeping, and reporting requirements in subpart Kb of this part. You must submit a statement that you are complying with § 60.112b(d)(a)(1) or (2) in accordance with § 60.5396c(b)(2)

with the initial annual report specified in § 60.5420c(b)(1) and (7).

(i) *Fugitive emission components designated facility.* To achieve initial compliance with the GHG standards for fugitive emissions components designated facilities as required by § 60.5397c, you must comply with paragraphs (i)(1) through (5) of this section.

(1) You must develop a fugitive emissions monitoring plan as required in § 60.5397c(b), (c), and (d).

(2) You must conduct an initial monitoring survey as required in § 60.5397c(e) and (f).

(3) You must repair each identified source of fugitive emissions for each designated facility as required in § 60.5397c(h).

(4) You must submit the initial annual report for each fugitive emissions components designated facility as required in § 60.5420c(b)(1) and (8).

(5) You must maintain the records specified in § 60.5420c(c)(13).

■ 56. Amend § 60.5411c by revising paragraph (b)(4) to read as follows:

§ 60.5411c What additional requirements must I meet to determine initial compliance for my covers and closed vent systems?

* * * * *

(b) * * *

(4) You must design and operate the cover with no identifiable emissions as demonstrated by § 60.5416c(a) and (b), except when operated as provided in paragraphs (b)(2)(i) through (iv) of this section.

* * * * *

■ 57. Amend § 60.5412c by revising paragraphs (a) introductory text, (a)(3)(iii) and (iv), and (c)(1)(i) to read as follows:

§ 60.5412c What additional requirements must I meet for determining initial compliance of my control devices?

* * * * *

(a) Each control device used to meet the emissions reduction standard in § 60.5390c(g) for your well designated facility gas well that unloads liquids; § 60.5391c(b) or (c) for your well designated facility with associated gas; § 60.5392c(a)(4) for your centrifugal compressor designated facility; § 60.5393c(d)(2) for your reciprocating compressor designated facility; § 60.5396c(a)(2) for your storage vessel designated facility; § 60.5394c(b)(3) for your process controller designated facility in Alaska; § 60.5395c(b)(3) for your pumps designated facility; or either § 60.5400c(f) or § 60.5401c(e) for your process equipment designated facility must be installed according to paragraphs (a)(1) through (3) of this

section. As an alternative to paragraphs (a)(1) through (3) of this section, you may install a control device model tested under § 60.5413c(d), which meets the criteria in § 60.5413c(d)(11) and which meets the initial and continuous compliance requirements in § 60.5413c(e).

* * * * *

(3) * * *

(iii) For steam-assisted and air-assisted flares, you must maintain the NHV_{cz} at or above 270 Btu/scf.

(iv) For flares with perimeter assist air, you must maintain the NHV_{dl} at or above 22 Btu/sqft. If the only assist air provided to the flare is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are not required to comply with the NHV_{dl} limit.

* * * * *

(c) * * *

(1) * * *

(i) Following the initial startup of the control device, you must replace all carbon in the carbon adsorption system with fresh carbon on a regular, predetermined time interval that is no longer than the carbon service life established according to § 60.5413c(c)(2) or (3). You must maintain records identifying the schedule for replacement and records of each carbon replacement as required in § 60.5420c(c)(10).

* * * * *

■ 58. Amend § 60.5413c by revising the introductory text to read as follows:

§ 60.5413c What are the performance testing procedures for control devices?

This section applies to the performance testing of control devices used to demonstrate compliance with the emissions standards for your well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment designated facilities. You must demonstrate that a control device achieves the performance requirements of § 60.5412c(a)(1) or (2) using the performance test methods and procedures specified in this section. For condensers and carbon adsorbers, you may use a design analysis as specified in paragraph (c) of this section in lieu of complying with paragraph (b) of this section. In addition, this section contains the requirements for enclosed combustion device performance tests conducted by the manufacturer applicable to well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump,

or process unit equipment designated facilities.

* * * * *

■ 59. Section 60.5415c is revised and republished to read as follows:

§ 60.5415c How do I demonstrate continuous compliance with the standards for each of my designated facilities?

(a) *Gas well liquids unloading standards for well designated facility.* For each well liquids unloading operation at your well designated facility, you must demonstrate continuous compliance with the requirements of § 60.5390c by submitting the annual report information specified in § 60.5420c(b)(1) and (2) and maintaining the records for each well liquids unloading event that vents to the atmosphere as specified in § 60.5420c(c)(1). For each gas well liquids unloading well designated facility that complies with the requirements of § 60.5390c(g), you must route emissions to a control device through a closed vent system and continuously comply with the closed vent requirements of § 60.5416c. You also must comply with the requirements specified in paragraph (e) of this section and maintain the reports in § 60.5420c(b)(10)(i) through (iv) and maintain the records in § 60.5420c(c)(7), (9), and (11).

(b) *Associated gas well standards for well designated facility.* For each associated gas well at your well designated facility, you must demonstrate continuous compliance with the requirements of § 60.5391c by submitting the reports required by § 60.5420c(b)(1) and (3) and maintaining the records specified in § 60.5420c(c)(2). For each associated gas well at your well designated facility that complies with the requirements of § 60.5391c(b) or (c), you must route emissions to a control device through a closed vent system and continuously comply with the closed vent requirements of § 60.5416c. You must also comply with the requirements specified in paragraph (e) of this section and maintain the records in paragraphs (c)(7), (9) and (11) of this section.

(c) *Centrifugal compressor designated facility.* For each centrifugal compressor designated facility complying with the volumetric flow rate measurements requirements in § 60.5392c(a)(1) and (2), you must demonstrate continuous compliance according to paragraph (c)(1) and paragraphs (c)(3) and (4) of this section. Alternatively, for each centrifugal compressor designated facility complying with § 60.5392c(a)(3) and either (a)(4) or (5) by routing emissions to a control device or to a

process, you must demonstrate continuous compliance according to paragraphs (c)(2) through (4) of this section.

(1) You must maintain volumetric flow rate at or below the volumetric flow rates specified in paragraphs (c)(1)(i) through (iii) of this section for your centrifugal compressor, as applicable, and you must conduct the required volumetric flow rate measurement of your dry or wet seal in accordance with § 60.5392c(a)(1) and (2) on or before 8,760 hours of operation after your last volumetric flow rate measurement which demonstrates compliance with the applicable volumetric flow rate.

(i) For your wet seal centrifugal compressors (including self-contained wet seal centrifugal compressors), you must maintain the volumetric flow rate at or below 3 scfm per seal (or in the case of manifolded groups of seals, 3 scfm multiplied by the number of seals).

(ii) For your Alaska North Slope centrifugal compressor equipped with sour seal oil separator and capture system, you must maintain the volumetric flow rate at or below 9 scfm per seal (or in the case of manifolded groups of wet seals, 9 scfm multiplied by the number of seals).

(iii) For your dry seal compressor, you must maintain the volumetric flow rate at or below 10 scfm per seal (or in the case of manifolded groups of wet seals, 10 scfm multiplied by the number of seals).

(2) For each wet seal and dry seal centrifugal compressor designated facility complying by routing emissions to a control device or to a process, you must operate the wet seal emissions collection system and dry seal system to route emissions to a control device or a process through a closed vent system and continuously comply with the closed vent requirements of § 60.5416c. If you comply with § 60.5392c(a)(4) by using a control device, you also must comply with the requirements in paragraph (e) of this section.

(3) You must submit the annual reports as required in § 60.5420c(b)(1), (4) and (10)(i) through (iv), as applicable.

(4) You must maintain records as required in § 60.5420c(c)(3), (7) through (9) and (11), as applicable.

(d) *Pump designated facility.* To demonstrate continuous compliance with the GHG standards for your pump designated facility as required by § 60.5395c, you must comply with paragraphs (d)(1) through (3) of this section.

(1) For pump designated facilities complying with the requirements of

§ 60.5395c(a) by routing emissions to a process and for pump designated facilities complying with the requirements of § 60.5395c(b)(2) or (3), you must continuously comply with the closed vent system requirements of § 60.5416c. If you comply with § 60.5395c(b)(3), you also must comply with the requirements in paragraph (e) of this section.

(2) You must submit the annual reports for your pump designated facility as required in § 60.5420c(b)(1) and (9) and (b)(10)(i) through (iv), as applicable.

(3) You must maintain the records for your pump designated facility as specified in § 60.5420c(c)(7), (9), (11), and (14), as applicable.

(e) *Additional continuous compliance requirements for well, centrifugal compressor, reciprocating compressor, process controllers in Alaska, storage vessel, process unit equipment, or pump designated facilities.* For each associated gas well at your well designated facility, each gas well liquids unloading operation at your well designated facility, each centrifugal compressor designated facility, each reciprocating compressor designated facility, each process controller designated facility in Alaska, each storage vessel designated facility, each process unit equipment designated facility, and each pump designated facility referenced to this paragraph from paragraph (a), (b), (c)(2), (d)(1), (f)(2), (g)(2), (h)(5)(ii)(B), or (i)(12) of this section, you must also install monitoring systems as specified in § 60.5417c, demonstrate continuous compliance according to paragraph (e)(1) of this section, maintain the records in paragraph (e)(2) of this section, and comply with the reporting requirements specified in paragraph (e)(3) of this section.

(1) You must demonstrate continuous compliance with the control device performance requirements of § 60.5412c(a) using the procedures specified in paragraphs (e)(1)(i) through (viii) of this section and conducting the monitoring as required by § 60.5417c. If you use a condenser as the control device to achieve the requirements specified in § 60.5412c(a)(2), you may demonstrate compliance according to paragraph (e)(1)(ix) of this section. You may switch between compliance with paragraphs (e)(1)(i) through (viii) of this section and compliance with paragraph (e)(1)(ix) of this section only after at least 1 year of operation in compliance with the selected approach. You must provide notification of such a change in the compliance method in the next annual report, following the change. If you use an enclosed combustion device

or a flare as the control device, you must also conduct the monitoring required in paragraph (e)(1)(x) of this section. If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412c(d), you must use the procedures in paragraph (e)(1)(xi) of this section in lieu of the procedures in paragraphs (e)(1)(i) through (viii) of this section, but you must still conduct the monitoring required in paragraph (e)(1)(x) of this section.

(i) You must operate below (or above) the site-specific maximum (or minimum) parameter value established according to the requirements of § 60.5417c(f)(1). For flares, you must operate above the limits specified in paragraphs (e)(1)(vii)(B) of this section.

(ii) You must calculate the average of the applicable monitored parameter in accordance with § 60.5417c(e).

(iii) Compliance with the operating parameter limit is achieved when the average of the monitoring parameter value calculated under paragraph (e)(1)(ii) of this section is either equal to or greater than the minimum parameter value or equal to or less than the maximum parameter value established under paragraph (e)(1)(i) of this section. When performance testing of a combustion control device is conducted by the device manufacturer as specified in § 60.5413c(d), compliance with the operating parameter limit is achieved when the criteria in § 60.5413c(e) are met.

(iv) You must operate the continuous monitoring system required in § 60.5417c(a) at all times the affected source is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities (including, as applicable, system accuracy audits and required zero and span adjustments). A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.

(v) You may not use data recorded during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities in calculations used to

report emissions or operating levels. You must use all the data collected during all other required data collection periods to assess the operation of the control device and associated control system.

(vi) Failure to collect required data is a deviation of the monitoring requirements.

(vii) If you use an enclosed combustion device to meet the requirements of § 60.5412c(a)(1) and you demonstrate compliance using the test procedures specified in § 60.5413c(b), or you use a flare designed and operated in accordance with § 60.5412c(a)(3), you must comply with the applicable requirements in paragraphs (e)(1)(vii)(A) through (E) of this section.

(A) For each enclosed combustion device which is not a catalytic vapor incinerator and for each flare, you must comply with the requirements in paragraphs (e)(1)(vii)(A)(1) through (4) of this section.

(1) A pilot or combustion flame must be present at all times of operation. An alert must be sent to the nearest control room whenever the pilot or combustion flame is unlit.

(2) Devices must be operated with no visible emissions, except for periods not to exceed a total of 1 minute during any 15-minute period. A visible emissions test conducted according to section 11 of Method 22 of appendix A-7 to this part, must be performed at least once every calendar month, separated by at least 15 days between each test. The observation period shall be 15 minutes or once the amount of time visible emissions is present has exceeded 1 minute, whichever time period is less. Alternatively, you may conduct visible emissions monitoring according to § 60.5417c(h).

(3) Devices failing the visible emissions test must follow manufacturer's repair instructions, if available, or best combustion engineering practice as outlined in the unit inspection and maintenance plan, to return the unit to compliant operation. All repairs and maintenance activities for each unit must be recorded in a maintenance and repair log and must be available for inspection.

(4) Following return to operation from maintenance or repair activity, each device must pass a Method 22 of appendix A-7 to this part visual observation as described in paragraph (e)(1)(vii)(D) of this section or be monitored according to § 60.5417c(h).

(B) For flares, you must comply with the requirements in paragraphs (e)(1)(vii)(B)(1) through (6) of this section.

(1) For unassisted flares, maintain the NHV of the gas sent to the flare at or above 200 Btu/scf.

(2) If you use a pressure assisted flare, maintain the NHV of gas sent to the flare at or above 800 Btu/scf.

(3) For steam-assisted and air-assisted flares, maintain the NHV_{cz} at or above 270 Btu/scf.

(4) For flares with perimeter assist air, maintain the NHV_{dl} at or above 22 Btu/sqft. If the only assist air provided to the flare is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are not required to comply with the NHV_{dl} limit.

(5) Unless you use a pressure-assisted flare, maintain the flare tip velocity below the applicable limits in § 60.18(b).

(6) Maintain the total gas flow to the flare above the minimum inlet gas flow rate. The minimum inlet gas flow rate is established based on manufacturer recommendations.

(C) For enclosed combustion devices for which, during the performance test conducted under § 60.5413c(b), the combustion zone temperature is not an indicator of destruction efficiency, you must comply with the requirements in paragraphs (e)(1)(vii)(C)(1) through (5) of this section, as applicable.

(1) Maintain the total gas flow to the enclosed combustion device at or above the minimum inlet gas flow rate and at or below the maximum inlet flow rate for the enclosed combustion device established in accordance with § 60.5417c(f).

(2) For unassisted enclosed combustion devices, maintain the NHV of the gas sent to the enclosed combustion device at or above 200 Btu/scf.

(3) For enclosed combustion devices that use pressure-assisted burner tips to promote mixing at the burner tip, maintain the NHV of the gas sent to the enclosed combustion device at or above 800 Btu/scf.

(4) For steam-assisted and air-assisted enclosed combustion devices, maintain the NHV_{cz} at or above 270 Btu/scf.

(5) For enclosed combustion devices with perimeter assist air, maintain the NHV_{dl} at or above 22 Btu/sqft. If the only assist air provided to the enclosed combustion device is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are not required to comply with the NHV_{dl} limit.

(D) For enclosed combustion devices for which, during the performance test conducted under § 60.5413c(b), the

combustion zone temperature is demonstrated to be an indicator of destruction efficiency, you must comply with the requirements in paragraphs (e)(1)(vii)(D)(1) and (2) of this section.

(1) Maintain the temperature at or above the minimum temperature established during the most recent performance test. The minimum temperature limit established during the most recent performance test is the average temperature recorded during each test run, averaged across the 3 test runs (average of the test run averages).

(2) Maintain the total gas flow to the enclosed combustion device at or above the minimum inlet gas flow rate and at or below the maximum inlet flow rate for the enclosed combustion device established in accordance with § 60.5417c(f).

(E) For catalytic vapor incinerators you must operate the catalytic vapor incinerator at or above the minimum temperature of the catalyst bed inlet and at or above the minimum temperature differential between the catalyst bed inlet and the catalyst bed outlet established in accordance with § 60.5417c(f).

(viii) If you use a carbon adsorption system as the control device to meet the requirements of § 60.5412c(a)(2), you must demonstrate compliance by the procedures in paragraphs (e)(1)(viii)(A) and (B) of this section, as applicable.

(A) If you use a regenerative-type carbon adsorption system, you must comply with paragraphs (e)(1)(viii)(A)(1) through (4) of this section.

(1) You must maintain the average regenerative mass flow or volumetric flow to the carbon adsorber during each bed regeneration cycle above the limit established in accordance with § 60.5413c(c)(2).

(2) You must maintain the average carbon bed temperature above the temperature limit established in accordance with § 60.5413c(c)(2) during the carbon bed steaming cycle and below the carbon bed temperature established in accordance with § 60.5413c(c)(2) after the regeneration cycle.

(3) You must check the mechanical connections for leakage at least every month, and you must perform a visual inspection at least every 3 months of all components of the continuous parameter monitoring system for physical and operational integrity and all electrical connections for oxidation and galvanic corrosion if your continuous parameter monitoring system is not equipped with a redundant flow sensor.

(4) You must replace all carbon in the carbon adsorption system with fresh carbon on a regular, predetermined time interval that is no longer than the carbon service life established according to § 60.5413c(c)(2).

(B) If you use a nonregenerative-type carbon adsorption system, you must replace all carbon in the control device with fresh carbon on a regular, predetermined time interval that is no longer than the carbon service life established according to § 60.5413c(c)(3).

(ix) If you use a condenser as the control device to achieve the percent reduction performance requirements specified in § 60.5412c(a)(2), you must demonstrate compliance using the procedures in paragraphs (e)(1)(ix)(A) through (E) of this section.

(A) You must establish a site-specific condenser performance curve according to § 60.5417c(f)(2).

(B) You must calculate the daily average condenser outlet temperature in accordance with § 60.5417c(e).

(C) You must determine the condenser efficiency for the current operating day using the daily average condenser outlet temperature calculated under paragraph (e)(1)(ix)(B) of this section and the condenser performance curve established under paragraph (e)(1)(ix)(A) of this section.

(D) Except as provided in paragraphs (e)(1)(ix)(D)(1) and (2) of this section, at the end of each operating day, you must calculate the 365-day rolling average TOC emission reduction, as appropriate, from the condenser efficiencies as determined in paragraph (e)(1)(ix)(C) of this section.

(1) After the compliance dates specified in § 60.5387c, if you have less than 120 days of data for determining average TOC emission reduction, you must calculate the average TOC emission reduction for the first 120 days of operation after the compliance date. You have demonstrated compliance with the overall 95.0 percent reduction requirement if the 120-day average TOC emission reduction is equal to or greater than 95.0 percent.

(2) After 120 days and no more than 364 days of operation after the compliance date specified in § 60.5387c, you must calculate the average TOC emission reduction as the TOC emission reduction averaged over the number of days between the current day and the applicable compliance date. You have demonstrated compliance with the overall 95.0 percent reduction requirement if the average TOC emission reduction is equal to or greater than 95.0 percent.

(E) If you have data for 365 days or more of operation, you have demonstrated compliance with the TOC emission reduction if the rolling 365-day average TOC emission reduction calculated in paragraph (e)(1)(ix)(D) of this section is equal to or greater than 95.0 percent.

(x) During each inspection conducted using an OGI camera under § 60.5397c and during each periodic screening event or each inspection conducted using an OGI camera under § 60.5398c, you must observe each enclosed combustion device and flare to determine if it is operating properly. You must determine whether there is a flame present and whether any uncontrolled emissions from the control device are visible with the OGI camera or the technique used to conduct the periodic screening event. During each inspection conducted under § 60.5397c using AVO, you must observe each enclosed combustion device and flare to determine if it is operating properly. Visually confirm that the pilot or combustion flame is lit and that the pilot or combustion flame is operating properly.

(xi) If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412c(d), you must comply with paragraphs (e)(1)(xi)(A) through (E) of this section.

(A) You must maintain the combustion efficiency at or above 95.0 percent. Alternatively, if the alternative test method does not directly monitor combustion efficiency, you must comply with the applicable requirements in paragraphs (e)(1)(xi)(A)(1) and (2) of this section.

(1) Maintain the NHV_{cz} at or above 270 Btu/scf.

(2) For flares or enclosed combustion devices with perimeter assist air, maintain the NHV_{dl} at or above 22 Btu/sqft. If the only assist air provided to the flare or enclosed combustion device is perimeter assist air intentionally entrained in lower and/or upper steam at the flare tip and the effective diameter is 9 inches or greater, you are only required to comply with the NHV_{cz} limit specified in paragraph (e)(1)(xi)(A)(1) of this section.

(B) You must calculate the value of the applicable monitored metric(s) in accordance with the approved alternative test method. Compliance with the limit is achieved when the calculated values are within the range specified in paragraph (e)(1)(xi)(A) of this section.

(C) You must conduct monitoring using the alternative test method at all times the affected source is operating,

except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities (including, as applicable, system accuracy audits and required zero and span adjustments). A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. You are required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.

(D) You may not use data recorded during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities in calculations used to report values to demonstrate compliance with the limits specified in paragraph (e)(1)(xi)(A) of this section. You must use all the data collected during all other required data collection periods to assess the operation of the control device and associated control system.

(E) Failure to collect required data is a deviation of the monitoring requirements.

(2) You must maintain the records as specified in § 60.5420c(c)(10) and (12).

(3) You must comply with the reporting requirements in § 60.5420c(b)(10) through (12).

(f) *Reciprocating compressor designated facility.* For each reciprocating compressor designated facility complying with § 60.5393c(a) through (c), you must demonstrate continuous compliance according to paragraphs (f)(1), (3), (5), and (6) of this section. For each reciprocating compressor designated facility complying with § 60.5393c(d)(1) or (2), you must demonstrate continuous compliance according to paragraphs (f)(2), (5), and (6) of this section. For each reciprocating compressor affected facility complying with § 60.5393c(d)(3), you must demonstrate continuous compliance according to paragraphs (f)(3) through (6) of this section.

(1) You must maintain the volumetric flow rate at or below 2 scfm per cylinder (or at or below the combined volumetric flow rate determined by multiplying the number of cylinders by 2 scfm), and you must conduct the required volumetric flow rate measurement of your reciprocating compressor rod packing vents in accordance with § 60.5393c(b)

or (c) on or before 8,760 hours of operation after your last volumetric flow rate measurement which demonstrated compliance with the applicable volumetric flow rate.

(2) You must operate the rod packing emissions collection system to route emissions to a control device or to a process through a closed vent system and continuously comply with the cover and closed vent requirements of § 60.5416c. If you comply with § 60.5393c(d) by using a control device, you also must comply with the requirements in paragraph (e) of this section.

(3) You must continuously monitor the number of hours of operation for each reciprocating compressor affected facility since initial startup, since 60 days after the state plan submittal deadline (as specified in § 60.5362c(c)), since the previous flow rate measurement, or since the date of the most recent reciprocating compressor rod packing replacement, whichever date is latest.

(4) You must replace the reciprocating compressor rod packing on or before the total number of hours of operation reaches 8,760 hours.

(5) You must submit the annual reports as required in § 60.5420c(b)(1), (5), and (b)(10)(i) through (iv), as applicable.

(6) You must maintain records as required in § 60.5420c(c)(4), (7) through (9), and (11), as applicable.

(g) *Process controller designated facility.* To demonstrate continuous compliance with GHG emission standards for your process controller designated facility as required by § 60.5394c, you must comply with the paragraphs (g)(1) through (4) of this section.

(1) You must demonstrate that your process controller designated facility does not emit any methane to the atmosphere by meeting the requirements of paragraphs (g)(1)(i) or (ii) of this section.

(i) If you comply by routing the emissions to a process, you must comply with the closed vent system inspection and monitoring requirements of § 60.5416c.

(ii) If you comply by using a self-contained natural gas-driven process controller, you must conduct the no identifiable emissions inspections required by § 60.5416c(b).

(2) For each process controller designated facility located at a site in Alaska that does not have access to electrical power, and that complies by reducing methane emissions from all controllers in the process controller designated facility by 95.0 percent in

accordance with § 60.5494c(b)(3), you must comply with the closed vent requirements of § 60.5416c and the requirements in paragraph (e) of this section for the control device.

(3) You must submit the annual report for your process controller as required in § 60.5420c(b)(1), (6), and (10) through (12), as applicable.

(4) You must maintain the records as specified in § 60.5420c(c)(5), (7), (9), and (11) for each process controller designated facility, as applicable.

(h) *Storage vessel designated facility.* For each storage vessel designated facility, you must demonstrate continuous compliance with the requirements of § 60.5396c according to paragraphs (h)(1) through (10) of this section, as applicable.

(1) For each storage vessel designated facility complying with the requirements of § 60.5396c(a)(2), you must demonstrate continuous compliance according to paragraphs (h)(5) and (h)(9) and (10) of this section.

(2) For each storage vessel designated facility complying with the requirements of § 60.5396c(a)(3), you must demonstrate continuous compliance according to paragraphs (h)(2)(i), (ii), or (iii) of this section, as applicable, and (h)(9) and (10) of this section.

(i) You must maintain the uncontrolled actual methane emissions from the storage vessel designated facility at less than 14 tpy.

(ii) You must comply with paragraph (h)(5) of this section as soon as liquids from the well are routed to the storage vessel designated facility following fracturing or refracturing according to the requirements of § 60.5396c(a)(3)(i).

(iii) You must comply with paragraph (h)(5) of this section within 30 days of the monthly determination according to the requirements of § 60.5396c(a)(3)(ii), where the monthly emissions determination indicates that methane emissions from your storage vessel designated facility increase to 14 tpy or greater and the increase is not associated with fracturing or refracturing of a well feeding the storage vessel designated facility.

(3) For each storage vessel designated facility or portion of a storage vessel designated facility removed from service, you must demonstrate compliance with the requirements of § 60.5396c(c)(1) or (2) by complying with paragraphs (h)(6), (7), (9), and (10) of this section.

(4) For each storage vessel designated facility or portion of a storage vessel designated facility returned to service, you must demonstrate compliance with the requirements of § 60.5396c(c)(3) and

(4) by complying with paragraphs (h)(8) through (10) of this section.

(5) For each storage vessel designated facility, you must comply with paragraphs (h)(5)(i) and (ii) of this section.

(i) You must reduce methane emissions as specified in § 60.5396c(a)(2).

(ii) For each control device installed to meet the requirements of § 60.5396c(a)(2), you must demonstrate continuous compliance with the performance requirements of § 60.5412c for each storage vessel designated facility using the procedure specified in paragraph (h)(5)(ii)(A) and (B) of this section. When routing emissions to a process, you must demonstrate continuous compliance as specified in paragraph (h)(5)(ii)(A) of this section.

(A) You must comply with § 60.5416c for each cover and closed vent system.

(B) You must comply with the requirements specified in paragraph (e) of this section.

(6) You must completely empty and degas each storage vessel, such that each storage vessel no longer contains crude oil, condensate, produced water or intermediate hydrocarbon liquids. For a portion of a storage vessel designated facility to be removed from service, you must completely empty and degas the storage vessel(s), such that the storage vessel(s) no longer contains crude oil, condensate, produced water or intermediate hydrocarbon liquids. A storage vessel where liquid is left on walls, as bottom clingage or in pools due to floor irregularity is considered to be completely empty.

(7) You must disconnect the storage vessel(s) from the tank battery by isolating the storage vessel(s) from the tank battery such that the storage vessel(s) is no longer manifolded to the tank battery by liquid or vapor transfer.

(8) You must determine the designated facility status of a storage vessel returned to service as provided in § 60.5386c(e)(5).

(9) You must submit the annual reports as required by § 60.5420c(b)(1) and (7) and (b)(10)(i) through (iv).

(10) You must maintain the records as required by § 60.5420c(c)(6) through (9) and (11), as applicable.

(i) *Process unit equipment designated facility.* For each process unit equipment designated facility, you must demonstrate continuous compliance with the requirements of § 60.5400c according to paragraphs (i)(1) through (4) and (11) through (15) of this section, unless you meet and comply with the exception in § 60.5402c(b), (e), or (f) or meet the exemption in § 60.5402c(c). Alternatively, if you comply with the

GHG standards for process unit designated facilities using the standards in § 60.5401c, you must comply with paragraphs (i)(5) through (15) of this section, unless you meet the exemption in § 60.5402c(b) or (c) or the exception in § 60.5402c(e) and (f).

(1) You must conduct monitoring for each pump in light liquid service, pressure relief device in gas/vapor service, valve in gas/vapor and light liquid service and connector in gas/vapor and light liquid service as required by § 60.5400c(b).

(2) You must conduct monitoring as required by § 60.5400c(c) for each pump in light liquid service.

(3) You must conduct monitoring as required by § 60.5400c(d) for each pressure relief device in gas/vapor service.

(4) You must comply with the equipment requirements for each open-ended valve or line as required by § 60.5400c(e).

(5) You must conduct monitoring for each pump in light liquid service as required by § 60.5401c(b).

(6) You must conduct monitoring for each pressure relief device in gas/vapor service as required by § 60.5401c(c).

(7) You must comply with the equipment requirements for each open-ended valve or line as required by § 60.5401c(d).

(8) You must conduct monitoring for each valve in gas/vapor or light liquid service as required by § 60.5401c(f).

(9) You must conduct monitoring for each pump, valve, and connector in heavy liquid service and each pressure relief device in light liquid or heavy liquid service as required by § 60.5401c(g).

(10) You must conduct monitoring for each connector in gas/vapor or light liquid service as required by § 60.5401c(h).

(11) You must collect emissions and meet the closed vent system requirements as required by § 60.5416c for each pump equipped with a dual mechanical seal system that degasses the barrier fluid reservoir to a process or a control device, each pump which captures and transports leakage from the seal or seals to a process or control device, or each pressure relief device which captures and transports leakage through the pressure relief device to a process or control device.

(12) You must comply with the requirements specified in paragraph (e) of this section.

(13) You must tag and repair each identified leak as required in § 60.5400c(h) or § 60.5401c(i), as applicable.

(14) You must submit semiannual reports as required by § 60.5422c and the annual reports in § 60.5420c(b)(10)(i) through (iv), as applicable.

(15) You must maintain the records specified by § 60.5420c(c)(7), (c)(9), and (c)(11) as applicable and § 60.5421c.

(j) *Continuous compliance.* For each fugitive emissions components designated facility, you must demonstrate continuous compliance with the requirements of § 60.5397c(a) according to paragraphs (j)(1) through (4) of this section.

(1) You must conduct periodic monitoring surveys as required in § 60.5397c(e) and (g).

(2) You must repair each identified source of fugitive emissions as required in § 60.5397c(h).

(3) You must submit annual reports for fugitive emissions components designated facilities as required in § 60.5420c(b)(1) and (8).

(4) You must maintain records as specified in § 60.5420c(c)(13).

■ 60. Amend § 60.5416c by revising paragraph (a) introductory text and (a)(3)(iii) to read as follows:

§ 60.5416c What are the initial and continuous cover and closed vent system inspection and monitoring requirements?

* * * * *

(a) *Inspections for closed vent systems, covers, and bypass devices.* If you install a control device or route emissions to a process, you must inspect each closed vent system according to the procedures and schedule specified in paragraphs (a)(1) and (2) of this section, inspect each cover according to the procedures and schedule specified in paragraph (a)(3) of this section, and inspect each bypass device according to the procedures of paragraph (a)(4) of this section, except as provided in paragraphs (b)(7) and (8) of this section.

* * * * *

(3) * * *

(iii) Conduct AVO inspections in accordance with and at the same frequency as specified for fugitive emissions components designated facilities located at the same type of site as specified in § 60.5397c(g). Process unit equipment designated facilities must conduct annual AVO inspections concurrent with the inspections required by paragraph (a)(1)(ii) of this section.

* * * * *

■ 61. Amend § 60.5417c by revising and republishing the introductory text and paragraphs (a), (d)(8) introductory text, and (d)(8)(iii) to read as follows:

§ 60.5417c What are the continuous monitoring requirements for my control devices?

You must meet the requirements of this section to demonstrate continuous compliance for each control device used to meet emission standards for your well, centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, and process unit equipment designated facilities.

(a) For each control device used to comply with the emission reduction standard in § 60.5391c(b) for well designated facilities, § 60.5392c(a)(3) for centrifugal compressor designated facilities, § 60.5393c(d)(2) for reciprocating compressor designated facilities, § 60.5394c(b)(3) for your process controller designated facility in Alaska, § 60.5395c(b)(1) for your pumps designated facility, § 60.5396c(a)(2) for your storage vessel designated facility, or either § 60.5400c(f) or § 60.5401c(e) for your process equipment designated facility, you must install and operate a continuous parameter monitoring system for each control device as specified in paragraphs (c) through (h) of this section, except as provided for in paragraph (b) of this section. If you install and operate a flare in accordance with § 60.5412c(a)(3), you are exempt from the requirements of paragraph (f) of this section. If you operate an enclosed combustion device or flare using an alternative test method approved under § 60.5412c(d), you must operate the control device as specified in paragraph (i) of this section instead of using the procedures specified in paragraphs (c) through (h) of this section. You must keep records and report in accordance with paragraph (j) of this section.

* * * * *

(d) * * *

(8) For an enclosed combustion device, other than those listed in paragraphs (d)(1) through (3) and (7) of this section, or for a flare, continuous monitoring systems as specified in paragraphs (d)(8)(i) through (iv) of this section and visible emission observations conducted as specified in paragraph (d)(8)(v) of this section. Additionally, for enclosed combustion devices or flares that are air-assisted or steam-assisted, the continuous monitoring systems specified in paragraph (d)(8)(vi) of this section.

* * * * *

(iii) For an unassisted or pressure-assisted flare or enclosed combustion device, if you demonstrate according to the methods described in paragraphs (d)(8)(iii)(A) through (F) of this section

that the NHV of the inlet gas to the enclosed combustion device or flare consistently exceeds the applicable operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C), continuous monitoring of the NHV is not required, but you must conduct the ongoing sampling in paragraph (d)(8)(iii)(G) of this section. For flares and enclosed combustion devices that use only perimeter assist air and do not use steam assist or premix assist air, if you demonstrate according to the methods described in paragraphs (d)(8)(iii)(A) through (F) of this section that the NHV of the inlet gas to the enclosed combustion device or flare consistently exceeds 300 Btu/scf, continuous monitoring of the NHV is not required, but you must conduct the ongoing sampling in paragraph (d)(8)(iii)(G) of this section. For an unassisted or pressure-assisted flare or enclosed combustion device, in lieu of conducting the demonstration outlined in paragraphs (d)(8)(iii)(A) through (D) of this section, you may conduct the demonstration outlined in paragraph (d)(8)(iii)(H) of this section, but you must still comply with paragraphs (d)(8)(iii)(E) through (G) of this section.

(A) Continuously monitor or collect a sample of the inlet gas to the enclosed combustion device or flare twice daily to determine the average NHV of the gas stream for 14 consecutive operating days. If you do not continuously monitor the NHV, the minimum time of collection for each individual sample be at least one hour. Consecutive samples must be separated by at least 6 hours. If inlet gas flow is intermittent such that there are not at least 28 samples over the 14 operating day period, you must continue to collect samples of the inlet gas beyond the 14 operating day period until you collect a minimum of 28 samples.

(B) If you collect samples twice per day, count the number of samples where the NHV value is less than 1.2 times the applicable operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C), or this paragraph (d)(8)(iii) (*i.e.*, values that are less than 240, 360, or 960 Btu/scf, as applicable) during the sample collection period in paragraph (d)(8)(iii)(A) of this section.

(C) If you continuously sample the inlet stream for 14 days, count the number of hourly average NHV values that are less than the applicable operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C), or this paragraph (d)(8)(iii) (*i.e.*, values that are less than 200, 300, or 800 Btu/scf, as applicable), during the sample collection period in paragraph (d)(8)(iii)(A) of this section.

(D) If there are no samples counted under paragraph (d)(8)(iii)(B) of this section or there are no hourly values counted under paragraph (d)(8)(iii)(C) of this section, the gas stream is considered to consistently exceed the applicable NHV operating limit and ongoing continuous monitoring is not required.

(E) If process operations are revised that could impact the NHV of the gas sent to the enclosed combustion device or flare, such as the removal or addition of process equipment, and at any time the Administrator requires, re-evaluation of the gas stream must be performed according to paragraphs (d)(8)(iii)(A) through (D) of this section to ensure the gas stream still consistently exceeds the applicable operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C), or this paragraph (d)(8)(iii).

(F) When collecting samples under paragraph (d)(8)(iii)(A) of this section, the owner or operator must account for any sources of inert gases that can be sent to the enclosed combustion device or flare (e.g., streams from compressors in acid gas service, streams from enhanced oil recovery facilities). The report in § 60.5420c(b)(10)(v)(I) and the records of the demonstration in § 60.5420c(c)(10)(vi) must note whether the enclosed combustion device or flare has the potential to receive inert gases, and if so, whether the sampling included periods where the highest percentage of inert gases were sent to the enclosed combustion device or flare. If the introduction of inerts is intermittent and does not occur during the initial demonstration, the introduction of inerts will be considered a revision to process operations that triggers a re-evaluation under paragraph (d)(8)(iii)(E) of this section. If conditions at the site did not allow sampling during periods where the introduction of inert gases was at the highest percentage possible, increasing the percentage of inerts will be considered a revision to process operations that triggers a re-evaluation under paragraph (d)(8)(iii)(E) of this section.

(G) You must collect three samples of the inlet gas to the enclosed combustion device or flare at least once every 5 years. The minimum time of collection for each individual sample must be at least one hour. The samples must be taken during the period with the lowest expected NHV (i.e., the period with the highest percentage of inerts). The first set of periodic samples must be taken, or continuous monitoring commenced, no later than 60 calendar months following the last sample taken under paragraph (d)(8)(iii)(A) of this section.

Subsequent periodic samples must be taken, or continuous monitoring commenced, no later than 60 calendar months following the previous sample. If any sample has an NHV value less than 1.2 times the applicable operating limit specified in § 60.5415c(e)(1)(vii)(B) or (C), or this paragraph (d)(8)(iii) (i.e., values that are less than 240, 360, or 960 Btu/scf, as applicable), you must conduct the monitoring required by paragraph (d)(8)(ii) of this section.

(H) You may request an alternative test method under § 60.5412c(d) to demonstrate that the flare or enclosed combustion device reduces methane and VOC in the gases vented to the device by 95.0 percent by weight or greater. You must use an alternative test method that demonstrates compliance with the combustion efficiency limit; you may not use an alternative test method that demonstrates compliance with NHV_{cz} and NHV_{di} in lieu of measuring combustion efficiency directly. You must measure data values at the frequency specified in the alternative test method and conduct the quality assurance and quality control requirements outlined in the alternative test method at the frequency outlined in the alternative test method. You must monitor the combustion efficiency of the flare continuously for 14 days. If there are no values of the combustion efficiency measured by the alternative test method that are less than 95.0 percent, the gas stream is considered to consistently exceed the applicable NHV operating limit, and you are not required to continuously monitor the NHV of the inlet gas to the flare or enclosed combustion device.

* * * * *

■ 62. Amend § 60.5420c by revising and republishing paragraphs (a) through (c) and paragraph (d) introductory text to read as follows:

§ 60.5420c What are my notification, reporting, and recordkeeping requirements?

(a) *Notifications.* You must submit notifications according to paragraphs (a)(1) and (2) of this section if you own or operate one or more of the designated facilities specified in § 60.5386c for which you commenced construction, modification, or reconstruction on or before December 6, 2022. You must submit the notification in paragraph (a)(3) of this section if you undertake well closure activities as specified in § 60.5397c(l).

(1) *Notification of compliance report.* For each designated facility subject to the requirements specified under this subpart, an owner or operator is required to submit a statement of

compliance with the applicable requirements of this subpart on or before 60 days after the state plan compliance date. Where a designated facility's compliance status is consistent with what was specified in the final compliance plan increment of progress report, the notification of compliance report would include a statement indicating that compliance is consistent with what was specified in the designated facility's final compliance plan. Where a designated facility's compliance status differs from what was specified in the final compliance plan increment of progress report, the notification of compliance report would indicate how the designated facility's status differs from what was stated in the final compliance plan.

(2) *Notifications.* If you own or operate a process unit equipment designated facility located at an onshore natural gas processing plant, you must submit the notifications required in §§ 60.7(a)(1), (3), and (4) and 60.15(d). If you own or operate a well, centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, collection of fugitive emissions components at a well site, or collection of fugitive emissions components at a compressor station designated facility, you are not required to submit the notifications required in §§ 60.7(a)(1), (3), and (4) and 60.15(d).

(3) *Notification to Administrator.* An owner or operator who commences well closure activities must submit the following notices to the Administrator according to the schedule in paragraph (a)(3)(i) and (ii) of this section. The notification shall include contact information for the owner or operator; the United States Well Number; the latitude and longitude coordinates for each well at the well site in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983. You must submit notifications in portable document format (PDF) following the procedures specified in paragraph (d) of this section.

(i) You must submit a well closure plan to the Administrator within 30 days of the cessation of production from all wells located at the well site.

(ii) You must submit a notification of the intent to close a well site 60 days before you begin well closure activities.

(b) *Reporting requirements.* You must submit annual reports containing the information specified in paragraphs (b)(1) through (13) of this section following the procedure specified in paragraph (b)(14) of this section. You must submit performance test reports as specified in paragraph (b)(11) or (12) of

this section, if applicable. The initial annual report is due no later than 90 days after the end of the initial compliance period as determined according to § 60.5410c. Subsequent annual reports are due no later than the same date each year as the initial annual report. If you own or operate more than one designated facility, you may submit one report for multiple designated facilities provided the report contains all of the information required as specified in paragraphs (b)(1) through (13) of this section. Annual reports may coincide with title V reports as long as all the required elements of the annual report are included. You may arrange with the Administrator a common schedule on which reports required by this part may be submitted as long as the schedule does not extend the reporting period. You must submit the information in paragraph (b)(1)(v) of this section, as applicable, for your well designated facility which undergoes a change of ownership during the reporting period, regardless of whether reporting under (b)(2) through (3) of this section is required for the well designated facility.

(1) The general information specified in paragraphs (b)(1)(i) through (v) of this section is required for all reports.

(i) The company name, facility site name associated with the designated facility, U.S. Well ID or U.S. Well ID associated with the designated facility, if applicable, and address of the designated facility. If an address is not available for the site, include a description of the site location and provide the latitude and longitude coordinates of the site in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.

(ii) An identification of each designated facility being included in the annual report.

(iii) Beginning and ending dates of the reporting period.

(iv) A certification by a certifying official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces the requirement in this paragraph (b)(1)(iv).

(v) Identification of each well designated facility for which ownership changed due to sale or transfer of ownership including the United States Well Number; the latitude and longitude coordinates of the well designated

facility in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983; and the information in paragraph (b)(1)(v)(A) or (B) of this section, as applicable.

(A) The name and contact information, including the phone number, email address, and mailing address, of the owner or operator to which you sold or transferred ownership of the well designated facility identified in paragraph (b)(1)(v) of this section.

(B) The name and contact information, including the phone number, email address, and mailing address, of the owner or operator from whom you acquired the well designated facility identified in paragraph (b)(1)(v) of this section.

(2) For each well designated facility that is subject to § 60.5390c(a)(1) or (2), your annual report is required to include the information specified in paragraphs (b)(2)(i) and (ii) of this section, as applicable.

(i) For each well designated facility where all gas well liquids unloading operations comply with § 60.5390c(a)(1), your annual report must include the information specified in paragraphs (b)(2)(i)(A) through (C) of this section, as applicable.

(A) Identification of each well designated facility (U.S. Well ID or U.S. Well ID associated with the well designated facility) that conducts a gas well liquid unloading operation during the reporting period using a method that does not vent to the atmosphere and the technology or technique used. If more than one non-venting technology or technique is used, you must identify all of the differing non-venting liquids unloading methods used during the reporting period.

(B) Number of gas well liquids unloading operations conducted during the year where the well designated facility identified in (b)(2)(i)(A) had unplanned venting to the atmosphere and best management practices were conducted according to your best management practice plan, as required by § 60.5390c(c). If no venting events occurred, the number would be zero. Other reported information required to be submitted where unplanned venting occurs is specified in paragraphs (b)(2)(i)(B)(1) and (2) of this section.

(1) Log of best management practice plan steps used during the unplanned venting to minimize emissions to the maximum extent possible.

(2) The number of liquids unloading events during the year where deviations from your best management practice plan occurred, the date and time the

deviation began, the duration of the deviation in hours, documentation of why best management practice plan steps were not followed, and what steps, in lieu of your best management practice plan steps, were followed to minimize emissions to the maximum extent possible.

(C) The number of liquids unloading events where unplanned emissions are vented to the atmosphere during a gas well liquids unloading operation where you complied with best management practices to minimize emissions to the maximum extent possible.

(ii) For each well designated facility where all gas well liquids unloading operations comply with § 60.5390c(b) and (c) best management practices, your annual report must include the information specified in paragraphs (b)(2)(ii)(A) through (E) of this section.

(A) Identification of each well designated facility that conducts a gas well liquids unloading during the reporting period.

(B) Number of liquids unloading events conducted during the reporting period.

(C) Log of best management practice plan steps used during the reporting period to minimize emissions to the maximum extent possible.

(D) The number of liquids unloading events during the year that best management practices were conducted according to your best management practice plan.

(E) The number of liquids unloading events during the year where deviations from your best management practice plan occurred, the date and time the deviation began, the duration of the deviation in hours, documentation of why best management practice plan steps were not followed, and what steps, in lieu of your best management practice plan steps, were followed to minimize emissions to the maximum extent possible.

(3) For each associated gas well at your well designated facility that is subject to § 60.5391c, your annual report is required to include the applicable information specified in paragraphs (b)(3)(i) through (v) of this section, as applicable.

(i) For each associated gas well at your well designated facility that complies with § 60.5391c(a)(1), (2), (3), or (4) your annual report is required to include the information specified in paragraphs (b)(3)(i)(A) and (B) of this section.

(A) An identification of each existing associated gas well that complies with § 60.5391c(a)(1), (2), (3), or (4).

(B) The information specified in paragraphs (b)(3)(i)(B)(1) through (3) of

this section for each incident when the associated gas was temporarily routed to a flare or control device in accordance with § 60.5391c(c).

(1) The reason in § 60.5391c(c)(1), (2), (3), or (4) for each incident.

(2) The start date and time of each incident of routing associated gas to the flare or control device, along with the total duration in hours of each incident.

(3) Documentation that all CVS requirements specified in § 60.5411c(a) and (c) and all applicable flare or control device requirements specified in § 60.5412c were met during each period when the associated gas is routed to the flare or control device.

(ii) For all instances where you temporarily vent the associated gas in accordance with § 60.5391c(d), you must report the information specified in paragraphs (b)(3)(ii)(A) through (D) of this section. This information is required to be reported if you are routinely complying with § 60.5391c(a) or § 60.5391c(b) or temporarily complying with § 60.5391c(c). In addition to this information for each incident, you must report the cumulative duration in hours of venting incidents and the cumulative VOC and methane emissions in pounds for all incidents in the calendar year.

(A) The reason in § 60.5391c(d)(1), (2), or (3) for each incident.

(B) The start date and time of each incident of venting the associated gas, along with the total duration in hours of each incident.

(C) The methane emissions in pounds that were emitted during each incident.

(D) The total duration of venting for all incidents in the year, along with the cumulative methane emissions in pounds that were emitted.

(iii) For each associated gas well at your well designated facility that complies with the requirements of § 60.5391c(b) by routing your associated gas to a control device that reduces methane emissions by at least 95.0 percent, your annual report must include the information specified in paragraphs (b)(3)(iii)(A) through (C) of this section, and paragraph (D) or (E) of this section. The information in paragraphs (b)(3)(iii)(A) and (B) of this section is only required in the initial annual report.

(A) Identification of the associated gas well using the control device and the information in paragraphs (b)(10)(v) of this section.

(B) The information specified in paragraphs (b)(10)(i) through (iv) of this section.

(C) Identification of each instance when associated gas was vented and not routed to a control device that reduces

methane emissions by at least 95.0 percent in accordance with paragraph (b)(3)(ii) of this section.

(D) For each associated gas well that complies with the requirements of § 60.5391c(b) because it has demonstrated that annual methane emissions are 40 tons per year or less, provide records of the calculation of annual methane emissions determined in accordance with § 60.5391c(e)(1).

(E) For each associated gas well facility that complies with the requirements of § 60.5391c(b) because it has demonstrated that it is not feasible to comply with § 60.5391c(a)(1), (2), (3), or (4) due to technical reasons, provide each annual demonstration and certification of the technical reason that it is not feasible to comply with § 60.5391c(a)(1), (2), (3), and (4) in accordance with § 60.5391c(b)(2)(i), (ii), and (iii).

(iv) If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (b)(10)(i) and (ii) of this section, you must provide the information specified in § 60.5424c.

(v) For each deviation recorded as specified in paragraph (c)(2)(vi) of this section, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(4) For each centrifugal compressor that is a designated facility, the information specified in paragraphs (b)(4)(i) through (ix) of this section, as applicable.

(i) An identification of each centrifugal compressor.

(ii) For each deviation that occurred during the reporting period and recorded as specified in paragraph (c)(3) of this section, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(iii) If complying with § 60.5392c(a)(1) and (2) wet and dry seal centrifugal compressor requirements, the cumulative number of hours of operation since initial startup, since 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), or since the previous volumetric flow rate measurement, as applicable, which have elapsed prior to conducting your volumetric flow rate measurement or emissions screening.

(iv) A description of the method used and the results of the volumetric

emissions measurement or emissions screening, as applicable.

(v) If required to comply with § 60.5392c(a)(5), the information specified in paragraphs (b)(10)(i) through (iv) of this section.

(vi) If complying with § 60.5392c(a)(4) with a control device, identification of the centrifugal compressor with the control device and the information in paragraph (b)(10)(v) of this section.

(vii) If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (b)(10)(i) and (ii) of this section, you must provide the information specified in § 60.5424c.

(viii) Number and type of seals on delay of repair and explanation for each delay of repair.

(ix) Date of planned shutdown(s) that occurred during the reporting period if there are any seals that have been placed on delay of repair.

(5) For each reciprocating compressor designated facility, the information specified in paragraphs (b)(5)(i) through (vii) of this section, as applicable.

(i) The cumulative number of hours of operation since initial startup, since 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), since the previous volumetric flow rate measurement, or since the previous reciprocating compressor rod packing replacement, as applicable, which have elapsed prior to conducting your volumetric flow rate measurement or emissions screening. Alternatively, a statement that emissions from the rod packing are being routed to a process or control device through a closed vent system.

(ii) If applicable, for each deviation that occurred during the reporting period and recorded as specified in paragraph (c)(4)(i) of this section, the date and time the deviation began, duration of the deviation in hours and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(iii) A description of the method used and the results of the volumetric flow rate measurement or emissions screening, as applicable.

(iv) If complying with § 60.5393c(d)(1) or (2), the information in paragraphs (b)(10)(i) through (v) of this section.

(v) Number and type of rod packing replacements/repairs on delay of repair and explanation for each delay of repair.

(vi) Date of planned shutdown(s) that occurred during the reporting period if there are any rod packing replacements/repairs that have been placed on delay of repair.

(vii) If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (b)(10)(i) and (ii) of this section, you must provide the information specified in § 60.5424c.

(6) For each process controller designated facility, the information specified in paragraphs (b)(6)(i) through (iii) of this section in your initial annual report and in subsequent annual reports for each process controller designated facility that is constructed, modified, or reconstructed during the reporting period. Each annual report must contain the information specified in paragraphs (b)(6)(iv) through (x) of this section for each process controller designated facility.

(i) An identification of each existing process controller that is driven by natural gas, as required by § 60.5394c(d), that allows traceability to the records required in paragraph (c)(5)(i) of this section.

(ii) For each process controller in the designated facility complying with § 60.5394c(a), you must report the information specified in paragraphs (b)(6)(ii)(A) and (B) of this section, as applicable.

(A) An identification of each process controller complying with § 60.5394c(a)(1) by routing the emissions to a process.

(B) An identification of each process controller complying with § 60.5394c(a)(2) by using a self-contained natural gas-driven process controller.

(iii) For each process controller designated facility located at a site in Alaska that does not have access to electrical power and that complies with § 60.5394c(b), you must report the information specified in paragraphs (b)(6)(iii)(A), (B), or (C) of this section, as applicable.

(A) For each process controller complying with § 60.5394c(b)(1) process controller bleed rate requirements, you must report the information specified in paragraphs (b)(6)(iii)(A)(1) and (2) of this section.

(1) The identification of process controllers designed and operated to achieve a bleed rate less than or equal to 6 scfh.

(2) Where necessary to meet a functional need, the identification and demonstration of why it is necessary to use a process controller with a natural gas bleed rate greater than 6 scfh.

(B) An identification of each intermittent vent process controller complying with the requirements in paragraph § 60.5394c(b)(2).

(C) An identification of each process controller complying with the

requirements in § 60.5394c(b) by routing emissions to a control device in accordance with § 60.5394c(b)(3).

(iv) Identification of each process controller which changes its method of compliance during the reporting period and the applicable information specified in paragraphs (b)(6)(v) through (ix) of this section for the new method of compliance.

(v) For each process controller in the designated facility complying with the requirements of § 60.5394c(a) by routing the emissions to a process, you must report the information specified in paragraphs (b)(10)(i) through (iv) of this section.

(vi) For each process controller in the designated facility complying with the requirements of § 60.5394c(a) by using a self-contained natural gas-driven process controller, you must report the information specified in paragraphs (b)(6)(vi)(A) and (B) of this section.

(A) Dates of each inspection required under § 60.5416c(b); and

(B) Each defect or leak identified during each natural gas-driven-self-contained process controller system inspection, and the date of repair or date of anticipated repair if repair is delayed.

(vii) For each process controller in the designated facility complying with the requirements of § 60.5394c(b)(2), you must report the information specified in paragraphs (b)(6)(vii)(A) and (B) of this section.

(A) Dates and results of the intermittent vent process controller monitoring required by § 60.5394c(b)(2)(ii).

(B) For each instance in which monitoring identifies emissions to the atmosphere from an intermittent vent controller during idle periods, the date of repair or replacement or the date of anticipated repair or replacement if the repair or replacement is delayed, and the date and results of the re-survey after repair or replacement.

(viii) For each process controller designated facility complying with § 60.5394c(b)(3) by routing emissions to a control device, you must report the information specified in paragraph (b)(10) of this section.

(ix) For each deviation that occurred during the reporting period, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(x) If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (b)(6)(ii)(B) and (b)(10)(i)

and (ii) of this section, you must provide the information specified in § 60.5424c.

(7) For each storage vessel designated facility, the information in paragraphs (b)(7)(i) through (x) of this section.

(i) An identification, including the location, of each existing storage vessel designated facility. The location of the storage vessel designated facility shall be in latitude and longitude coordinates in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.

(ii) Documentation of the methane emission rate determination according to § 60.5386c(e)(1) for each tank battery that became a designated facility during the reporting period or is returned to service during the reporting period.

(iii) For each deviation that occurred during the reporting period and recorded as specified in paragraph (c)(6)(iii) of this section, the date and time the deviation began, duration of the deviation in hours and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(iv) For each storage vessel designated facility complying with § 60.5396c(a)(2) with a control device, report the identification of the storage vessel designated facility with the control device and the information in paragraph (b)(10)(v) of this section.

(v) If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (b)(10)(i) and (ii) of this section, you must provide the information specified in § 60.5424c.

(vi) If required to comply with § 60.5396c(b)(1), the information in paragraphs (b)(10)(i) through (iv) of this section.

(vii) You must identify each storage vessel designated facility that is removed from service during the reporting period as specified in § 60.5396c(c)(1)(ii), including the date the storage vessel designated facility was removed from service. You must identify each storage vessel that that is removed from service from a storage vessel designated facility during the reporting period as specified in § 60.5396c(c)(2)(iii), including identifying the impacted storage vessel designated facility and the date each storage vessel was removed from service.

(viii) You must identify each storage vessel designated facility or portion of a storage vessel designated facility returned to service during the reporting

period as specified in § 60.5396c(c)(4), including the date the storage vessel designated facility or portion of a storage vessel designated facility was returned to service.

(ix) You must identify each storage vessel designated facility that no longer complies with § 60.5396c(a)(3) and instead complies with § 60.5396c(a)(2). You must identify whether the change in the method of compliance was due to fracturing or refracturing or whether the change was due to an increase in the monthly emissions determination. If the change was due to an increase in the monthly emissions determination, you must provide documentation of the emissions rate. You must identify the date that you complied with § 60.5396c(a)(2) and must submit the information in (b)(7)(iii) through (vii) of this section.

(x) You must submit a statement that you are complying with § 60.112b(a)(1) or (2), if applicable, in your initial annual report.

(8) For the fugitive emissions components designated facility, report the information specified in paragraphs (b)(8)(i) through (iv) of this section, as applicable.

(i)(A) Designation of the type of site (*i.e.*, well site, centralized production facility, or compressor station) at which the fugitive emissions components designated facility is located.

(B) For the fugitive emissions components designated facility at a well site or centralized production facility that became a designated facility during the reporting period, you must include the date of the startup of production or the date of the first day of production after modification. For the fugitive emissions components designated facility at a compressor station that became a designated facility during the reporting period, you must include the date of startup or the date of modification.

(C) For the fugitive emissions components designated facility at a well site, you must specify what type of well site it is (*i.e.*, single wellhead only well site, small wellsite, multi-wellhead only well site, or a well site with major production and processing equipment).

(D) For the fugitive emissions components designated facility at a well site where during the reporting period you complete the removal of all major production and processing equipment such that the well site contains only one or more wellheads, you must include the date of the change to status as a wellhead only well site.

(E) For the fugitive emissions components designated facility at a well site where you previously reported

under paragraph (b)(8)(i)(D) of this section the removal of all major production and processing equipment and during the reporting period major production and processing equipment is added back to the well site, the date that the first piece of major production and processing equipment is added back to the well site.

(F) For the fugitive emissions components designated facility at a well site where during the reporting period you undertake well closure requirements, the date of the cessation of production from all wells at the well site, the date you began well closure activities at the well site, and the dates of the notifications submitted in accordance with paragraph (a)(3) of this section.

(ii) For each fugitive emissions monitoring survey performed during the annual reporting period, the information specified in paragraphs (b)(8)(ii)(A) through (G) of this section.

(A) Date of the survey.

(B) Monitoring instrument or, if the survey was conducted by visual, audible, or olfactory methods, notation that AVO was used.

(C) Any deviations from the monitoring plan elements under § 60.5397c(c)(1), (2), (7), and (8) or (d) or a statement that there were no deviations from these elements of the monitoring plan.

(D) Number and type of components for which fugitive emissions were detected.

(E) Number and type of fugitive emissions components that were not repaired as required in § 60.5397c(h).

(F) Number and type of fugitive emission components (including designation as difficult-to-monitor or unsafe-to-monitor, if applicable) on delay of repair and explanation for each delay of repair.

(G) Date of planned shutdown(s) that occurred during the reporting period if there are any components that have been placed on delay of repair.

(iii) For well closure activities which occurred during the reporting period, the information in paragraphs (b)(8)(iii)(A) and (B) of this section.

(A) A status report with dates for the well closure activities schedule developed in the well closure plan. If all steps in the well closure plan are completed in the reporting period, the date that all activities are completed.

(B) If an OGI survey is conducted during the reporting period, the information in paragraphs (b)(8)(iii)(B)(1) through (3) of this section.

(1) Date of the OGI survey.

(2) Monitoring instrument used.

(3) A statement that no fugitive emissions were found, or if fugitive emissions were found, a description of the steps taken to eliminate those emissions, the date of the resurvey, the results of the resurvey, and the date of the final resurvey which detected no emissions.

(iv) If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (b)(10)(i) and (ii) of this section, you must provide the information specified in § 60.5424c.

(9) For each pump designated facility, the information specified in paragraphs (b)(9)(i) through (iv) of this section in your initial annual report. Each annual report must contain the information specified in paragraphs (b)(9)(v) through (ix) of this section for each pump designated facility.

(i) The identification of each of your pumps that are driven by natural gas, as required by § 60.5395c(a) that allows traceability to the records required by paragraph (c)(14)(i) of this section.

(ii) For each pump designated facility for which there is a control device on site but it does not achieve a 95.0 percent emissions reduction, the certification that there is a control device available on site but it does not achieve a 95.0 percent emissions reduction required under § 60.5395c(b)(5). You must also report the emissions reduction percentage the control device is designed to achieve.

(iii) For each pump designated facility for which there is no control device or vapor recovery unit on site, the certification required under § 60.5395c(b)(6) that there is no control device or vapor recovery unit on site.

(iv) For each pump designated facility for which it is technically infeasible to route the emissions to a process or control device, the certification of technical infeasibility required under § 60.5395c(b)(7).

(v) For any pump designated facility which has previously reported as required under paragraphs (b)(9)(i) through (iv) of this section and for which a change in the reported condition has occurred during the reporting period, provide the identification of the pump designated facility and the date that the pump designated facility meets one of the change conditions described in paragraphs (b)(9)(v)(A) through (C) of this section.

(A) If you install a control device or vapor recovery unit, you must report that a control device or vapor recovery unit has been added to the site and that the pump designated facility now is

required to comply with § 60.5395c(b)(1) or (3), as applicable.

(B) If your pump designated facility previously complied with § 60.5395c(b)(1) or (3), as applicable, by routing emissions to a process or a control device and the process or control device is subsequently removed from the site or is no longer available such that there is no ability to route the emissions to a process or control device at the location, or that it is not technically feasible to capture and route the emissions to another control device or process located on site, report that you are no longer complying with the applicable requirements of § 60.5395c(b)(1) or (3) and submit the information provided in paragraphs (b)(9)(v)(B)(i) or (2) of this section.

(1) Certification that there is no control device or vapor recovery unit on site.

(2) Certification of the engineering assessment that it is technically infeasible to capture and route the emissions to another control device or process located on site.

(C) If any pump affected facility or individual natural gas-driven pump changes its method of compliance during the reporting period other than for the reasons specified in paragraphs (b)(9)(v)(A) and (B) of this section, identify the new compliance method for each natural gas-driven pump within the affected facility which changes its method of compliance during the reporting period and provide the applicable information specified in paragraphs (b)(9)(ii) through (iv) and (vi) through (viii) of this section for the new method of compliance.

(vi) For each pump designated facility complying with the requirements of § 60.5395c(a) or (b)(2) by routing the emissions to a process, you must report the information specified in paragraphs (b)(10)(i) through (iv) of this section.

(vii) For each pump designated facility complying with the requirements of § 60.5395c(b)(3) by routing the emissions to a control device, you must report the information required under paragraph (b)(10) of this section.

(viii) For each deviation that occurred during the reporting period, the date and time the deviation began, the duration of the deviation in hours, and a description of the deviation. If no deviations occurred during the reporting period, you must include a statement that no deviations occurred during the reporting period.

(ix) If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (b)(10)(i) and (ii) of this

section, you must provide the information specified in § 60.5424c.

(10) For each well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment designated facility which uses a closed vent system routed to a control device to meet the emissions reduction standard, you must submit the information in paragraphs (b)(10)(i) through (v) of this section. For each centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, or process unit equipment which uses a closed vent system to route to a process, you must submit the information in paragraphs (b)(10)(i) through (iv) of this section. For each centrifugal compressor, reciprocating compressor, and storage vessel equipped with a cover, you must submit the information in paragraphs (b)(10)(i) and (ii).

(i) Dates of each inspection required under § 60.5416c(a) and (b).

(ii) Each defect or emissions identified during each inspection and the date of repair or the date of anticipated repair if the repair is delayed.

(iii) Date and time of each bypass alarm or each instance the key is checked out if you are subject to the bypass requirements of § 60.5416c(a)(4).

(iv) You must submit the certification signed by the qualified professional engineer or in-house engineer according to § 60.5411c(c) for each closed vent system routing to a control device or process in the reporting year in which the certification is signed.

(v) If you comply with the emissions standard for your well, centrifugal compressor, reciprocating compressor, storage vessel, process controller, pump, or process unit equipment designated facility with a control device, the information in paragraphs (b)(10)(v)(A) through (L) of this section, unless you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412c(d). If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412c(d), the information in paragraphs (b)(10)(v)(A) through (C) and (L) through (P) of this section.

(A) Identification of the control device.

(B) Make, model, and date of installation of the control device.

(C) Identification of the designated facility controlled by the device.

(D) For each continuous parameter monitoring system used to demonstrate compliance for the control device, a unique continuous parameter monitoring system identifier and the

make, model number, and date of last calibration check of the continuous parameter monitoring system.

(E) For each instance where there is a deviation of the control device in accordance with § 60.5417c(g)(1) through (3) or (5) through (7) include the date and time the deviation began, the duration of the deviation in hours, the type of the deviation (e.g., NHV operating limit, lack of pilot or combustion flame, condenser efficiency, bypass line flow, visible emissions), and cause of the deviation.

(F) For each instance where there is a deviation of the continuous parameter monitoring system in accordance with § 60.5417c(g)(4) include the date and time the deviation began, the duration of the deviation in hours, and cause of the deviation.

(G) For each visible emissions test following return to operation from a maintenance or repair activity, the date of the visible emissions test or observation of the video surveillance output, the length of the observation in minutes, and the number of minutes for which visible emissions were present.

(H) If a performance test was conducted on the control device during the reporting period, provide the date the performance test was conducted. Submit the performance test report following the procedures specified in paragraph (b)(11) of this section.

(I) If a demonstration of the NHV of the inlet gas to the enclosed combustion device or flare was conducted during the reporting period in accordance with § 60.5417c(d)(8)(iii), an indication of whether this is a re-evaluation of vent gas NHV and the reason for the re-evaluation; the applicable required minimum vent gas NHV; if twice daily samples of the vent stream were taken, the number of hourly average NHV values that are less than 1.2 times the applicable required minimum NHV; if continuous NHV sampling of the vent stream was conducted, the number of hourly average NHV values that are less than the required minimum vent gas NHV; if continuous combustion efficiency monitoring was conducted using an alternative test method approved under § 60.5412c(d), the number of values of the combustion efficiency that were less than 95.0 percent; the resulting determination of whether NHV monitoring is required or not in accordance with § 60.5417c(d)(8)(iii)(D) or (H); and an indication of whether the enclosed combustion device or flare has the potential to receive inert gases, and if so, whether the sampling included periods where the highest percentage of

inert gases were sent to the enclosed combustion device or flare.

(J) If a demonstration was conducted in accordance with § 60.5417c(d)(8)(iv) that the maximum potential pressure of units manifolded to an enclosed combustion device or flare cannot cause the maximum inlet flow rate established in accordance with § 60.5417c(f)(1) or a flare tip velocity limit of 18.3 meter/second (60 feet/second) to be exceeded, an indication of whether this is a re-evaluation of the gas flow and the reason for the re-evaluation; the demonstration conducted; and applicable engineering calculations.

(K) For each periodic sampling event conducted under § 60.5417c(d)(8)(iii)(G), provide the date of the sampling, the required minimum vent gas NHV, and the NHV value for each vent gas sample.

(L) For each flare and enclosed combustion device, provide the date each device is observed with OGI in accordance with § 60.5415c(e)(1)(x) and whether uncombusted emissions were present. Provide the date each device was visibly observed during an AVO inspection in accordance with § 60.5415c(e)(1)(x), whether the pilot or combustion flame was lit at the time of observation, and whether the device was found to be operating properly.

(M) An identification of the alternative test method used.

(N) For each instance where there is a deviation of the control device in accordance with § 60.5417c(i)(6)(i) or (iii) through (v) include the date and time the deviation began, the duration of the deviation in hours, the type of the deviation (e.g., NHV_{cz} operating limit, lack of pilot or combustion flame, visible emissions), and cause of the deviation.

(O) For each instance where there is a deviation of the data availability in accordance with § 60.5417c(i)(6)(ii) include the date of each operating day when monitoring data are not available for at least 75 percent of the operating hours.

(P) If no deviations occurred under paragraph (b)(10)(v)(N) or (O) of this section, a statement that there were no deviations for the control device during the annual report period.

(Q) Any additional information required to be reported as specified by the Administrator as part of the alternative test method approval under § 60.5412c(d).

(11) Within 60 days after the date of completing each performance test (see § 60.8) required by this subpart, except testing conducted by the manufacturer as specified in § 60.5413c(d), you must submit the results of the performance

test following the procedures specified in paragraph (d) of this section. Data collected using test methods that are 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>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. 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 must be included as an attachment in the ERT or alternate electronic file.

(12) For combustion control devices tested by the manufacturer in accordance with § 60.5413c(d), an electronic copy of the performance test results required by § 60.5413c(d) shall be submitted via email to Oil_and_Gas_PT@EPA.GOV unless the test results for that model of combustion control device are posted at the following website: <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry>.

(13) If you had a super-emitter event during the reporting period, the start date of the super-emitter event, the duration of the super-emitter event in hours, and the designated facility associated with the super-emitter event, if applicable.

(14) You must submit your annual report using the appropriate electronic report template on the Compliance and Emissions Data Reporting Interface (CEDRI) website for this subpart and following the procedure specified in paragraph (d) of this section. If the reporting form specific to this subpart is not available on the CEDRI website at the time that the report is due, you must submit the report to the Administrator at the appropriate address listed in § 60.4. Once the form has been available on the CEDRI website for at least 90 calendar days, you must begin submitting all subsequent reports via CEDRI. The date reporting forms become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(c) *Recordkeeping requirements.* You must maintain the records identified as specified in § 60.7(f) and in paragraphs (c)(1) through (14) of this section. All

records required by this subpart must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be maintained by this subpart that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

(1) For each gas well liquids unloading operation at your well designated facility that is subject to § 60.5390c(a)(1) or (2), the records of each gas well liquids unloading operation conducted during the reporting period, including the information specified in paragraphs (c)(1)(i) through (iii) of this section, as applicable.

(i) For each gas well liquids unloading operation that complies with § 60.5390c(a)(1) by performing all liquids unloading events without venting of methane emissions to the atmosphere, comply with the recordkeeping requirements specified in paragraphs (c)(1)(i)(A) and (B) of this section.

(A) Identification of each well (i.e., U.S. Well ID or U.S. Well ID associated with the well designated facility) that conducts a gas well liquids unloading operation during the reporting period without venting of methane emissions and the non-venting gas well liquids unloading method used. If more than one non-venting method is used, you must maintain records of all the differing non-venting liquids unloading methods used at the well designated facility complying with § 60.5390c(a)(1).

(B) Number of events where unplanned emissions are vented to the atmosphere during a gas well liquids unloading operation where you complied with best management practices to minimize emissions to the maximum extent possible.

(ii) For each gas well liquids unloading operation that complies with § 60.5390c(b) and (c) best management practices, maintain records documenting information specified in paragraphs (c)(1)(ii)(A) through (D) of this section.

(A) Identification of each well designated facility that conducts liquids unloading during the reporting period that employs best management practices to minimize emissions to the maximum extent possible.

(B) Documentation of your best management practice plan developed under paragraph § 60.5390c(c). You may

update your best management practice plan to include additional steps which meet the criteria in § 60.5390c(c).

(C) A log of each best management practice plan step taken to minimize emissions to the maximum extent possible for each gas well liquids unloading event.

(D) Documentation of each gas well liquids unloading event where deviations from your best management practice plan steps occurred, the date and time the deviation began, the duration of the deviation, documentation of best management practice plans steps were not followed, and the steps taken in lieu of your best management practice plan steps during those events to minimize emissions to the maximum extent possible.

(iii) For each well designated facility that reduces methane emissions from well designated facility gas wells that unload liquids by 95.0 percent by routing emissions to a control device through closed vent system under § 60.5390c(g), you must maintain the records in paragraphs (c)(1)(iii)(A) through (E) of this section.

(A) If you comply with the emission reduction standard with a control device, the information for each control device in paragraph (c)(10) of this section.

(B) Records of the closed vent system inspection as specified paragraph (c)(7) of this section.

(C) Records of the cover inspections as specified in paragraph (c)(8) of this section.

(D) If applicable, the records of bypass monitoring as specified in paragraph (c)(9) of this section.

(E) Records of the closed vent system assessment as specified in paragraph (c)(11) of this section.

(2) For each associated gas well, you must maintain the applicable records specified in paragraphs (c)(2)(i) or (ii) and (vi) of this section, as applicable.

(i) For each associated gas well that complies with the requirements of § 60.5391c(a)(1), (2), (3), or (4), you must keep the records specified in paragraphs (c)(2)(i)(A) and (B) of this section.

(A) Documentation of the specific method(s) in § 60.5391c(a)(1), (2), (3), or (4) that was used.

(B) For instances where you temporarily route the associated gas to a flare or control device in accordance with § 60.5391c(c), you must keep the records specified in paragraphs (c)(2)(i)(B)(1) through (3) of this section.

(1) The reason in § 60.5391c(c)(1), (2), (3), or (4) for each incident.

(2) The date of each incident, along with the times when routing the associated gas to the flare or control

device started and ended, along with the total duration of each incident.

(3) Documentation that all CVS requirements specified in § 60.5411c(a) and (c) and all applicable flare or control device requirements specified in § 60.5412c are met during each period when the associated gas is routed to the flare or control device.

(ii) For instances where you temporarily vent the associated gas in accordance with § 60.5391c(d), you must keep the records specified in paragraphs (c)(2)(ii)(A) through (D) of this section. These records are required if you are routinely complying with § 60.5391c(a) or § 60.5391c(b) or temporarily complying with § 60.5391c(c).

(A) The reason in § 60.5391c(d)(1), (2), or (3) for each incident.

(B) The date of each incident, along with the times when venting the associated gas started and ended, along with the total duration of each incident.

(C) The methane emissions that were emitted during each incident.

(D) The cumulative duration of venting incidents and methane emissions for all incidents in each calendar year.

(iii) For each associated gas well that complies with the requirements of § 60.5391c(b) because it has demonstrated that annual methane emissions are 40 tons per year or less at the initial compliance date, maintain records of the calculation of annual methane emissions determined in accordance with § 60.5391c(e)(1).

(iv) For each associated gas well at your well that complies with the requirements of § 60.5391c(b) because it has demonstrated that it is not feasible to comply with § 60.5391c(a)(1), (2), (3), or (4) due to technical reasons, records of each annual demonstration and certification of the technical reason that it is not feasible to comply with § 60.5391c(a)(1), (2), (3), and (4) in accordance with § 60.5391c(b)(2)(i), (ii), and (iii), as well as the records required by paragraph (c)(2)(v) of this section.

(v) For each associated gas well that complies with the requirements of § 60.5391c(b) by routing your associated gas to a flare or control device that achieves a 95.0 reduction in methane emissions, the records in paragraphs (c)(2)(v)(A) through (E) of this section.

(A) Identification of each instance when associated gas was vented and not routed to a control device that reduces methane emissions by at least 95.0 percent in accordance with paragraph (c)(2)(iii) of this section.

(B) If you comply with the emission reduction standard in § 60.5391c with a control device, the information for each

control device in paragraph (c)(10) of this section.

(C) Records of the closed vent system inspection as specified paragraph (c)(7) of this section. If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (c)(7) of this section, you must maintain records of the information specified in § 60.5424c.

(D) If applicable, the records of bypass monitoring as specified in paragraph (c)(9) of this section.

(E) Records of the closed vent system assessment as specified in paragraph (c)(11) of this section.

(vi) Records of each deviation, the date and time the deviation began, the duration of the deviation, and a description of the deviation.

(3) For each centrifugal compressor designated facility, you must maintain the records specified in paragraphs (c)(3)(i) through (iii) of this section.

(i) For each centrifugal compressor designated facility, you must maintain records of deviations in cases where the centrifugal compressor was not operated in compliance with the requirements specified in § 60.5392c, including a description of each deviation, the date and time each deviation began and the duration of each deviation.

(ii) For each wet seal compressor complying with the emissions reduction standard in § 60.5392c(a)(3) and (4), you must maintain the records in paragraphs (c)(3)(ii)(A) through (E) of this section. For each wet seal compressor complying with the alternative standard in § 60.5392c(a)(3) and (5) by routing the closed vent system to a process, you must maintain the records in paragraphs (c)(3)(ii)(B) through (E) of this section.

(A) If you comply with the emission reduction standard in § 60.5392c(a)(3) and (4) with a control device, the information for each control device in paragraph (c)(10) of this section.

(B) Records of the closed vent system inspection as specified paragraph (c)(7) of this section. If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (c)(7) of this section, you must maintain records of the information specified in § 60.5424c.

(C) Records of the cover inspections as specified in paragraph (c)(8) of this section. If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraph (c)(8) of this section, you must maintain the information specified in § 60.5424c.

(D) If applicable, the records of bypass monitoring as specified in paragraph (c)(9) of this section.

(E) Records of the closed vent system assessment as specified in paragraph (c)(11) of this section.

(iii) For each centrifugal compressor designated facility using dry seals or wet seals and each self-contained wet seal centrifugal compressor and complying with the standard in § 60.5392c(a)(1) and (2), you must maintain the records specified in paragraphs (c)(3)(iii)(A) through (H) of this section.

(A) Records of the cumulative number of hours of operation since initial startup, since 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), or since the previous volumetric flow rate measurement, as applicable.

(B) A description of the method used and the results of the volumetric flow rate measurement or emissions screening, as applicable.

(C) Records for all flow meters, composition analyzers and pressure gauges used to measure volumetric flow rates as specified in paragraphs (c)(3)(iii)(C)(1) through (6) of this section.

(1) Description of standard method published by a consensus-based standards organization or industry standard practice.

(2) Records of volumetric flow rate emissions calculations conducted according to § 60.5392c(a)(2), as applicable.

(3) Records of manufacturer operating procedures and measurement methods.

(4) Records of manufacturer's recommended procedures or an appropriate industry consensus standard method for calibration and results of calibration, recalibration and accuracy checks.

(5) Records which demonstrate that measurements at the remote location(s) can, when appropriate correction factors are applied, reliably and accurately represent the actual temperature or total pressure at the flow meter under all expected ambient conditions. You must include the date of the demonstration, the data from the demonstration, the mathematical correlation(s) between the remote readings and actual flow meter conditions derived from the data, and any supporting engineering calculations. If adjustments were made to the mathematical relationships, a record and description of such adjustments.

(6) Record of each initial calibration or a recalibration which failed to meet the required accuracy specification and the date of the successful recalibration.

(D) Date when performance-based volumetric flow rate is exceeded.

(E) The date of successful repair of the compressor seal, including follow-up performance-based volumetric flow rate measurement to confirm successful repair.

(F) Identification of each compressor seal placed on delay of repair and explanation for each delay of repair.

(G) For each compressor seal or part needed for repair placed on delay of repair because of replacement seal or part unavailability, the operator must document: the date the seal or part was added to the delay of repair list, the date the replacement seal or part was ordered, the anticipated seal or part delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the seal or part.

(H) Date of planned shutdowns that occur while there are any seals or parts that have been placed on delay of repair.

(4) For each reciprocating compressor designated facility, you must maintain the records in paragraphs (c)(4)(i) through (x) and (c)(7) through (12) of this section, as applicable. If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraph (c)(7) of this section, you must provide the information specified in § 60.5424c.

(i) For each reciprocating compressor designated facility, you must maintain records of deviations in cases where the reciprocating compressor was not operated in compliance with the requirements specified in § 60.5393c, including a description of each deviation, the date and time each deviation began and the duration of each deviation in hours.

(ii) Records of the date of installation of a rod packing emissions collection system and closed vent system as specified in § 60.5393c(d), where applicable.

(iii) Records of the cumulative number of hours of operation since initial startup, since 36 months after the state plan submittal deadline (as specified in § 60.5362c(c)), or since the previous volumetric flow rate measurement, as applicable.

Alternatively, a record that emissions from the rod packing are being routed to a process through a closed vent system.

(iv) A description of the method used and the results of the volumetric flow rate measurement or emissions screening, as applicable.

(v) Records for all flow meters, composition analyzers and pressure gauges used to measure volumetric flow rates as specified in paragraphs (c)(4)(v)(A) through (F) of this section.

(A) Description of standard method published by a consensus-based

standards organization or industry standard practice.

(B) Records of volumetric flow rate calculations conducted according to paragraphs § 60.5393c(b) or (c), as applicable.

(C) Records of manufacturer's operating procedures and measurement methods.

(D) Records of manufacturer's recommended procedures or an appropriate industry consensus standard method for calibration and results of calibration, recalibration and accuracy checks.

(E) Records which demonstrate that measurements at the remote location(s) can, when appropriate correction factors are applied, reliably and accurately represent the actual temperature or total pressure at the flow meter under all expected ambient conditions. You must include the date of the demonstration, the data from the demonstration, the mathematical correlation(s) between the remote readings and actual flow meter conditions derived from the data, and any supporting engineering calculations. If adjustments were made to the mathematical relationships, a record and description of such adjustments.

(F) Record of each initial calibration or a recalibration which failed to meet the required accuracy specification and the date of the successful recalibration.

(vi) Date when performance-based volumetric flow rate is exceeded.

(vii) The date of successful replacement or repair of reciprocating compressor rod packing, including follow-up performance-based volumetric flow rate measurement to confirm successful repair.

(viii) Identification of each reciprocating compressor placed on delay of repair because of rod packing or part unavailability and explanation for each delay of repair.

(ix) For each reciprocating compressor that is placed on delay of repair because of replacement rod packing or part unavailability, the operator must document: the date the rod packing or part was added to the delay of repair list, the date the replacement rod packing or part was ordered, the anticipated rod packing or part delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the rod packing or part.

(x) Date of planned shutdowns that occur while there are any reciprocating compressors that have been placed on delay of repair due to the unavailability of rod packing or parts to conduct repairs.

(5) For each process controller designated facility, you must maintain the records specified in paragraphs (c)(5)(i) through (vii) of this section.

(i) Records identifying each process controller that is driven by natural gas and that does not function as an emergency shutdown device.

(ii) For each process controller designated facility complying with § 60.5394c(a), you must maintain records of the information specified in paragraphs (c)(5)(ii)(A) and (B) of this section, as applicable.

(A) If you are complying with § 60.5394c(a) by routing process controller vapors to a process through a closed vent system, you must report the information specified in paragraphs (c)(5)(ii)(A)(1) and (2) of this section.

(1) An identification of all the natural gas-driven process controllers in the process controller designated facility for which you collect and route vapors to a process through a closed vent system.

(2) The records specified in paragraphs (c)(7), (9), and (11) of this section. If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraph (c)(7) of this section, you must provide the information specified in § 60.5424c.

(B) If you are complying with § 60.5394c(a) by using a self-contained natural gas-driven process controller, you must report the information specified in paragraphs (c)(5)(ii)(B)(1) through (3) of this section.

(1) An identification of each process controller complying with § 60.5394c(a) by using a self-contained natural gas-driven process controller;

(2) Dates of each inspection required under § 60.5416c(b); and

(3) Each defect or leak identified during each natural gas-driven-self-contained process controller system inspection, and date of repair or date of anticipated repair if repair is delayed.

(iii) For each process controller designated facility complying with § 60.5394c(b)(1) process controller bleed rate requirements, you must maintain records of the information specified in paragraphs (c)(5)(iii)(A) and (B) of this section.

(A) The identification of process controllers designed and operated to achieve a bleed rate less than or equal to 6 scfh and records of the manufacturer's specifications indicating that the process controller is designed with a natural gas bleed rate of less than or equal to 6 scfh.

(B) Where necessary to meet a functional need, the identification of the process controller and demonstration of why it is necessary to use a process

controller with a natural gas bleed rate greater than 6 scfh.

(iv) For each intermittent vent process controller in the designated facility complying with the requirements in § 60.5394c(b)(2), you must keep records of the information specified in paragraphs (c)(5)(iv)(A) through (C) of this section.

(A) The identification of each intermittent vent process controller.

(B) Dates and results of the intermittent vent process controller monitoring required by § 60.5394c(b)(2)(ii).

(C) For each instance in which monitoring identifies emissions to the atmosphere from an intermittent vent controller during idle periods, the date of repair or replacement, or the date of anticipated repair or replacement if the repair or replacement is delayed and the date and results of the re-survey after repair or replacement.

(v) For each process controller designated facility complying with § 60.5394c(b)(3), you must maintain the records specified in paragraphs (c)(5)(v)(A) and (B) of this section.

(A) An identification of each process controller for which emissions are routed to a control device.

(B) Records specified in paragraphs (c)(7) and (9) through (12) of this section. If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (c)(7) of this section, you must provide the information specified in § 60.5424c.

(vi) Records of each change in compliance method, including identification of each natural gas-driven process controller which changes its method of compliance, the new method of compliance, and the date of the change in compliance method.

(vii) Records of each deviation, the date and time the deviation began, the duration of the deviation, and a description of the deviation.

(6) For each storage vessel designated facility, you must maintain the records identified in paragraphs (c)(6)(i) through (vii) of this section.

(i) You must maintain records of the identification and location in latitude and longitude coordinates in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983 of each storage vessel designated facility.

(ii) Records of each methane emissions determination for each storage vessel designated facility made under § 60.5386c(e) including identification of the model or calculation methodology used to calculate the methane emission rate.

(iii) For each instance where the storage vessel was not operated in compliance with the requirements specified in § 60.5396c, a description of the deviation, the date and time each deviation began, and the duration of the deviation.

(iv) If complying with the emissions reduction standard in § 60.5396c(a)(1), you must maintain the records in paragraphs (c)(6)(iv)(A) through (E) of this section.

(A) If you comply with the emission reduction standard with a control device, the information for each control device in paragraph (c)(10) of this section.

(B) Records of the closed vent system inspection as specified paragraph (c)(7) of this section. If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraph (c)(7) of this section, you must provide the information specified in § 60.5424c.

(C) Records of the cover inspections as specified in paragraph (c)(8) of this section. If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraph (c)(8) of this section, you must provide the information specified in § 60.5424c.

(D) If applicable, the records of bypass monitoring as specified in paragraph (c)(9) of this section.

(E) Records of the closed vent system assessment as specified in paragraph (c)(11) of this section.

(v) For storage vessels that are skid-mounted or permanently attached to something that is mobile (such as trucks, railcars, barges, or ships), records indicating the number of consecutive days that the vessel is located at a site in the crude oil and natural gas source category. If a storage vessel is removed from a site and, within 30 days, is either returned to the site or replaced by another storage vessel at the site to serve the same or similar function, then the entire period since the original storage vessel was first located at the site, including the days when the storage vessel was removed, will be added to the count towards the number of consecutive days.

(vi) Records of the date that each storage vessel designated facility or portion of a storage vessel designated facility is removed from service and returned to service, as applicable.

(vii) Records of the date that liquids from the well following fracturing or refracturing are routed to the storage vessel designated facility; or the date that you comply with paragraph § 60.5396c(a)(2), following a monthly emissions determination which

indicates that methane emissions increase to 14 tpy or greater and the increase is not associated with fracturing or refracturing of a well feeding the storage vessel designated facility, and records of the methane emissions rate and the model or calculation methodology used to calculate the methane emission rate.

(7) Records of each closed vent system inspection required under § 60.5416c(a)(1) and (2) and (b) for your well, centrifugal compressor, reciprocating compressor, process controller, pump, storage vessel, and process unit equipment designated facility as required in paragraphs (c)(7)(i) through (iv) of this section.

(i) A record of each closed vent system inspection or no identifiable emissions monitoring survey. You must include an identification number for each closed vent system (or other unique identification description selected by you), the date of the inspection, and the method used to conduct the inspection (*i.e.*, visual, AVO, OGI, Method 21 of appendix A–7 to this part).

(ii) For each defect or emissions detected during inspections required by § 60.5416c(a)(1) and (2), or (b) you must record the location of the defect or emissions; a description of the defect; the maximum concentration reading obtained if using Method 21 of appendix A–7 to this part; the indication of emissions detected by AVO if using AVO; the date of detection; the date of each attempt to repair the emissions or defect; the corrective action taken during each attempt to repair the defect; and the date the repair to correct the defect or emissions is completed.

(iii) If repair of the defect is delayed as described in § 60.5416c(b)(6), you must record the reason for the delay and the date you expect to complete the repair.

(iv) Parts of the closed vent system designated as unsafe to inspect as described in § 60.5416c(b)(7) or difficult to inspect as described in § 60.5416c(b)(8), the reason for the designation, and written plan for inspection of that part of the closed vent system.

(8) A record of each cover inspection required under § 60.5416c(a)(3) for your centrifugal compressor, reciprocating compressor, or storage vessel as required in paragraphs (c)(8)(i) through (iv) of this section.

(i) A record of each cover inspection. You must include an identification number for each cover (or other unique identification description selected by you), the date of the inspection, and the

method used to conduct the inspection (*i.e.*, AVO, OGI, Method 21 of appendix A–7 to this part).

(ii) For each defect detected during the inspection you must record the location of the defect; a description of the defect; the date of detection; the maximum concentration reading obtained if using Method 21 of appendix A–7 to this part; the indication of emissions detected by AVO if using AVO; the date of each attempt to repair the defect; the corrective action taken during each attempt to repair the defect; and the date the repair to correct the defect is completed.

(iii) If repair of the defect is delayed as described in § 60.5416c(b)(5), you must record the reason for the delay and the date you expect to complete the repair.

(iv) Parts of the cover designated as unsafe to inspect as described in § 60.5416c(b)(7) or difficult to inspect as described in § 60.5416c(b)(8), the reason for the designation, and written plan for inspection of that part of the cover.

(9) For each bypass subject to the bypass requirements of § 60.5416c(a)(4), you must maintain a record of the following, as applicable: readings from the flow indicator; each inspection of the seal or closure mechanism; the date and time of each instance the key is checked out; date and time of each instance the alarm is sounded.

(10) Records for each control device used to comply with the emission reduction standard in § 60.5391c(b) for associated gas wells, § 60.5392c(a)(4) for centrifugal compressor designated facilities, § 60.5393c(d)(2) for reciprocating compressor designated facilities, § 60.5394c(b)(3) for your process controller designated facility in Alaska, § 60.5395c(b)(3) for your pump designated facility, § 60.5396c(a)(2) for your storage vessel designated facility, § 60.5390c(g) for well designated facility gas well liquids unloading, or § 60.5400c(f) or 60.5401c(e) for your process equipment designated facility, as required in paragraphs (c)(10)(i) through (viii) of this section. If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412c(d), keep records of the information in paragraphs (c)(10)(ix) of this section, in lieu of the records required by paragraphs (c)(10)(i) through (iv) and (vi) through (viii) of this section.

(i) For a control device tested under § 60.5413c(d) which meets the criteria in § 60.5413c(d)(11) and (e), keep records of the information in paragraphs (c)(10)(i)(A) through (E) of this section, in addition to the records in paragraphs

(c)(10)(ii) through (ix) of this section, as applicable.

(A) Serial number of purchased device and copy of purchase order.

(B) Location of the designated facility associated with the control device in latitude and longitude coordinates in decimal degrees to an accuracy and precision of five (5) decimals of a degree using the North American Datum of 1983.

(C) Minimum and maximum inlet gas flow rate specified by the manufacturer.

(D) Records of the maintenance and repair log as specified in § 60.5413c(e)(4), for all inspection, repair, and maintenance activities for each control device failing the visible emissions test.

(E) Records of the manufacturer's written operating instructions, procedures, and maintenance schedule to ensure good air pollution control practices for minimizing emissions.

(ii) For all control devices, keep records of the information in paragraphs (c)(10)(i)(A) through (G) of this section, as applicable.

(A) Make, model, and date of installation of the control device, and identification of the designated facility controlled by the device.

(B) Records of deviations in accordance with § 60.5417c(g)(1) through (7), including a description of the deviation, the date and time the deviation began, the duration of the deviation, and the cause of the deviation.

(C) The monitoring plan required by § 60.5417c(c)(2).

(D) Make and model number of each continuous parameter monitoring system.

(E) Records of minimum and maximum operating parameter values, continuous parameter monitoring system data (including records that the pilot or combustion flame is present at all times), calculated averages of continuous parameter monitoring system data, and results of all compliance calculations.

(F) Records of continuous parameter monitoring system equipment performance checks, system accuracy audits, performance evaluations, or other audit procedures and results of all inspections specified in the monitoring plan in accordance with § 60.5417c(c)(2). Records of calibration gas cylinders, if applicable.

(G) Periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities. Records of repairs on the monitoring system.

(iii) For each carbon adsorption system, records of the schedule for carbon replacement as determined by the design analysis requirements of § 60.5413(c)(2) and (3) and records of each carbon replacement as specified in § 60.5412(c)(1) and § 60.5415(c)(1)(viii).

(iv) For enclosed combustion devices and flares, records of visible emissions observations as specified in paragraph (c)(10)(iv)(A) or (B) of this section.

(A) Records of observations with Method 22 of appendix A-7 to this part, including observations required following return to operation from a maintenance or repair activity, which include: company, location, company representative (name of the person performing the observation), sky conditions, process unit (type of control device), clock start time, observation period duration (in minutes and seconds), accumulated emission time (in minutes and seconds), and clock end time. You may create your own form including the above information or use Figure 22-1 in Method 22 of appendix A-7 to this part.

(B) If you monitor visible emissions with a video surveillance camera, location of the camera and distance to emission source, records of the video surveillance output, and documentation that an operator looked at the feed daily, including the date and start time of observation, the length of observation, and length of time visible emissions were present.

(v) For enclosed combustion devices and flares, video of the OGI inspection conducted in accordance with § 60.5415(c)(1)(x). Records documenting each enclosed combustion device and flare was visibly observed during each inspection conducted under § 60.5397c using AVO in accordance with § 60.5415(c)(1)(x).

(vi) For enclosed combustion devices and flares, records of each demonstration of the NHV of the inlet gas to the enclosed combustion device or flare conducted in accordance with § 60.5417(c)(8)(iii). For each re-evaluation of the NHV of the inlet gas, records of process changes and explanation of the conditions that led to the need to re-evaluation the NHV of the inlet gas. For each demonstration, record information on whether the enclosed combustion device or flare has the potential to receive inert gases, and if so, the highest percentage of inert gases that can be sent to the enclosed combustion device or flare and the highest percent of inert gases sent to the enclosed combustion device or flare during the NHV demonstration. Records

of periodic sampling conducted under § 60.5417(c)(8)(iii)(G).

(vii) For enclosed combustion devices and flares, if you use a backpressure regulator valve, the make and model of the valve, date of installation, and record of inlet flow rating. Maintain records of the engineering evaluation and manufacturer specifications that identify the pressure set point corresponding to the minimum inlet gas flow rate, the annual confirmation that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications, and the annual confirmation that the backpressure regulator valve fully closes when not in open position.

(viii) For enclosed combustion devices and flares, records of each demonstration required under § 60.5417(c)(8)(iv).

(ix) If you use an enclosed combustion device or flare using an alternative test method approved under § 60.5412(c), keep records of the information in paragraphs (c)(10)(ix)(A) through (H) of this section, in lieu of the records required by paragraphs (c)(10)(i) through (iv) and (vi) through (viii) of this section.

(A) An identification of the alternative test method used.

(B) Data recorded at the intervals required by the alternative test method.

(C) Monitoring plan required by § 60.5417(c)(2).

(D) Quality assurance and quality control activities conducted in accordance with the alternative test method.

(E) If required by § 60.5412(c)(4) to conduct visible emissions observations, records required by paragraph (c)(10)(iv) of this section.

(F) If required by § 60.5412(c)(5) to conduct pilot or combustion flame monitoring, record indicating the presence of a pilot or combustion flame and periods when the pilot or combustion flame is absent.

(G) For each instance where there is a deviation of the control device in accordance with § 60.5417(c)(6)(i) through (v), the date and time the deviation began, the duration of the deviation in hours, and cause of the deviation.

(H) Any additional information required to be recorded as specified by the Administrator as part of the alternative test method approval under § 60.5412(c).

(11) For each closed vent system routing to a control device or process, the records of the assessment conducted according to § 60.5411(c):

(i) A copy of the assessment conducted according to § 60.5411(c)(1); and

(ii) A copy of the certification according to § 60.5411(c)(1)(i) and (ii).

(12) A copy of each performance test submitted under paragraphs (b)(11) or (12) of this section.

(13) For the fugitive emissions components designated facility, maintain the records identified in paragraphs (c)(13)(i) through (vii) of this section.

(i) The date of the startup of production or the date of the first day of production after modification for the fugitive emissions components designated facility at a well site and the date of startup or the date of modification for the fugitive emissions components designated facility at a compressor station.

(ii) For the fugitive emissions components designated facility at a well site, you must maintain records specifying what type of well site it is (*i.e.*, single wellhead only well site, small wellsite, multi-wellhead only well site, or a well site with major production and processing equipment.)

(iii) For the fugitive emissions components designated facility at a well site where you complete the removal of all major production and processing equipment such that the well site contains only one or more wellheads, record the date the well site completes the removal of all major production and processing equipment from the well site, and, if the well site is still producing, record the well ID or separate tank battery ID receiving the production from the well site. If major production and processing equipment is subsequently added back to the well site, record the date that the first piece of major production and processing equipment is added back to the well site.

(iv) The fugitive emissions monitoring plan as required in § 60.5397(c)(b), (c), and (d).

(v) The records of each monitoring survey as specified in paragraphs (c)(13)(v)(A) through (I) of this section.

(A) Date of the survey.

(B) Beginning and end time of the survey.

(C) Name of operator(s), training, and experience of the operator(s) performing the survey.

(D) Monitoring instrument or method used.

(E) Fugitive emissions component identification when Method 21 of appendix A-7 to this part is used to perform the monitoring survey.

(F) Ambient temperature, sky conditions, and maximum wind speed

at the time of the survey. For compressor stations, operating mode of each compressor (*i.e.*, operating, standby pressurized, and not operating-depressurized modes) at the station at the time of the survey.

(G) Any deviations from the monitoring plan or a statement that there were no deviations from the monitoring plan.

(H) Records of calibrations for the instrument used during the monitoring survey.

(I) Documentation of each fugitive emission detected during the monitoring survey, including the information specified in paragraphs (c)(13)(v)(I)(1) through (9) of this section.

(1) Location of each fugitive emission identified.

(2) Type of fugitive emissions component, including designation as difficult-to-monitor or unsafe-to-monitor, if applicable.

(3) If Method 21 of appendix A-7 to this part is used for detection, record the component ID and instrument reading.

(4) For each repair that cannot be made during the monitoring survey when the fugitive emissions are initially found, a digital photograph or video must be taken of that component or the component must be tagged for identification purposes. The digital photograph must include the date that the photograph was taken and must clearly identify the component by location within the site (*e.g.*, the latitude and longitude of the component or by other descriptive landmarks visible in the picture). The digital photograph or identification (*e.g.*, tag) may be removed after the repair is completed, including verification of repair with the resurvey.

(5) The date of first attempt at repair of the fugitive emissions component(s).

(6) The date of successful repair of the fugitive emissions component, including the resurvey to verify repair and instrument used for the resurvey.

(7) Identification of each fugitive emission component placed on delay of repair and explanation for each delay of repair.

(8) For each fugitive emission component placed on delay of repair for reason of replacement component unavailability, the operator must document: the date the component was added to the delay of repair list, the date the replacement fugitive component or part thereof was ordered, the anticipated component delivery date (including any estimated shipment or delivery date provided by the vendor), and the actual arrival date of the component.

(9) Date of planned shutdowns that occur while there are any components that have been placed on delay of repair.

(vi) For well closure activities, you must maintain the information specified in paragraphs (c)(13)(vi)(A) through (G) of this section.

(A) The well closure plan developed in accordance with § 60.5397c(l) and the date the plan was submitted.

(B) The notification of the intent to close the well site and the date the notification was submitted.

(C) The date of the cessation of production from all wells at the well site.

(D) The date you began well closure activities at the well site.

(E) Each status report for the well closure activities reported in paragraph (b)(8)(iv)(A) of this section.

(F) Each OGI survey reported in paragraph (b)(8)(iv)(B) of this section including the date, the monitoring instrument used, and the results of the survey or resurvey.

(G) The final OGI survey video demonstrating the closure of all wells at the site. The video must include the date that the video was taken and must identify the well site location by latitude and longitude.

(vii) If you comply with an alternative GHG standard under § 60.5398c, in lieu of the information specified in paragraphs (c)(13)(iv) and (v) of this section, you must maintain the records specified in § 60.5424c.

(14) For each pump designated facility, you must maintain the records identified in paragraphs (c)(14)(i) through (ix) of this section, as applicable.

(i) Identification of each pump that is driven by natural gas and that is in operation 90 days or more per calendar year.

(ii) If you are complying with § 60.5395c(a) or (b)(1) by routing pump vapors to a process through a closed vent system, identification of all the natural gas-driven pumps in the pump designated facility for which you collect and route vapors to a process through a closed vent system and the records specified in paragraphs (c)(7), (9), and (11) of this section. If you comply with an alternative GHG and VOC standard under § 60.5398c, in lieu of the information specified in paragraph (c)(7) of this section, you must provide the information specified in § 60.5424c.

(iii) If you are complying with § 60.5395c(b)(1) by routing pump vapors to control device achieving a 95.0 percent reduction in methane emissions, you must keep the records specified in paragraphs (c)(7) and (c)(9) through (c)(12) of this section. If you

comply with an alternative GHG and VOC standard under § 60.5398c, in lieu of the information specified in paragraph (c)(7) of this section, you must provide the information specified in § 60.5424c.

(iv) If you are complying with § 60.5395c(b)(3) by routing pump vapors to a control device achieving less than a 95.0 percent reduction in methane emissions, you must maintain records of the certification that there is a control device on site but it does not achieve a 95.0 percent emissions reduction and a record of the design evaluation or manufacturer's specifications which indicate the percentage reduction the control device is designed to achieve.

(v) If you have less than three natural gas-driven diaphragm pumps in the pump designated facility, and you do not have a vapor recovery unit or control device installed on site by the compliance date, you must retain a record of your certification required under § 60.5395c(b)(4), certifying that there is no vapor recovery unit or control device on site. If you subsequently install a control device or vapor recovery unit, you must maintain the records required under paragraphs (c)(14)(ii) and (iii) or (iv) of this section, as applicable.

(vi) If you determine, through an engineering assessment, that it is technically infeasible to route the pump designated facility emissions to a process or control device, you must retain records of your demonstration and certification that it is technically infeasible as required under § 60.5395c(b)(7).

(vii) If the pump is routed to a process or control device that is subsequently removed from the location or is no longer available such that there is no option to route to a process or control device, you are required to retain records of this change and the records required under paragraph (c)(14)(vi) of this section.

(viii) Records of each change in compliance method, including identification of each natural gas-driven pump which changes its method of compliance, the new method of compliance, and the date of the change in compliance method.

(ix) Records of each deviation, the date and time the deviation began, the duration of the deviation, and a description of the deviation.

(d) *Electronic reporting.* If you are required to submit notifications or reports following the procedure specified in this paragraph (d), you must submit notifications or reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data

Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as CBI. Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report or notification, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (d)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (d).

* * * * *

■ 63. Amend § 60.5421c by revising the introductory text and paragraph (b) introductory text to read as follows:

§ 60.5421c What are my additional recordkeeping requirements for process unit equipment designated facilities?

You must maintain a record of each equipment leak monitoring inspection and each leak identified under § 60.5400c and § 60.5401c as specified in paragraphs (b)(1) through (17) of this section. The record must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be maintained that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation.

* * * * *

(b) You must maintain the monitoring inspection records specified in

paragraphs (b)(1) through (17) of this section.

* * * * *

■ 64. Amend § 60.5424c by revising paragraph (e)(6) to read as follows:

§ 60.5424c What are my additional recordkeeping and reporting requirements if I comply with the alternative GHG standards for fugitive emissions components designated facilities and covers and closed vent systems?

* * * * *

(e) * * *

(6) Each rolling 12-month average operational downtime for the system, calculated in accordance with § 60.5398c(c)(1)(iv)(D).

* * * * *

■ 65. Amend § 60.5430c by revising the definitions of *Initial calibration value*, *No identifiable emissions*, *Repaired*, and *Storage vessel* to read as follows:

§ 60.5430c What definitions apply to this subpart?

* * * * *

Initial calibration value, as used in the standards and requirements of this subpart relative to the process unit equipment designated facility at onshore natural gas processing plants, means the concentration measured during the initial calibration at the beginning of each day required in § 60.5406c, or the most recent calibration if the instrument is recalibrated during the day (*i.e.*, the calibration is adjusted) after a calibration drift assessment.

* * * * *

No identifiable emissions means, for the purposes of covers, closed vent systems, and self-contained natural gas-driven process controllers and as determined according to the provisions of § 60.5416c, that no emissions are detected by AVO means when inspections are conducted by AVO; no emissions are imaged with an OGI camera when inspections are conducted with OGI; and equipment is operating with an instrument reading of less than 500 ppmv above background, as determined by Method 21 of appendix A-7 to this part when inspections are conducted with Method 21.

* * * * *

Repaired means the following:

(1) For the purposes of fugitive emissions components designated facilities, that fugitive emissions components are adjusted, replaced, or otherwise altered, in order to eliminate fugitive emissions as defined in § 60.5397c and resurveyed as specified in § 60.5397c(h)(4) and it is verified that

emissions from the fugitive emissions components are below the applicable fugitive emissions definition.

(2) For the purposes of process unit equipment designated facilities, that equipment is adjusted, or otherwise altered, in order to eliminate a leak as defined in §§ 60.5400c and 60.5401c and is re-monitored as specified in § 60.5400c(b) introductory text or § 60.5406c, respectively, to verify that emissions from the equipment are below the applicable leak definition. Pumps in light liquid service subject to § 60.5400c(c)(2) or § 60.5401c(b)(1)(ii) are not subject to re-monitoring.

* * * * *

Storage vessel means a tank or other vessel that contains an accumulation of crude oil, condensate, intermediate hydrocarbon liquids, or produced water, and that is constructed primarily of nonearthen materials (such as wood, concrete, steel, fiberglass, or plastic) which provide structural support. A well completion vessel that receives recovered liquids from a well after startup of production following flowback for a period which exceeds 60 days is considered a storage vessel under this subpart. A tank or other vessel shall not be considered a storage vessel if it has been removed from service in accordance with the requirements of § 60.5396c(c)(1) until such time as such tank or other vessel has been returned to service. For the purposes of this subpart, the following are not considered storage vessels:

(1) Vessels that are skid-mounted or permanently attached to something that is mobile (such as trucks, railcars, barges or ships), and are intended to be located at a site for less than 180 consecutive days. If you do not keep or are not able to produce records, as required by § 60.5420c(c)(6)(v), showing that the vessel has been located at a site for less than 180 consecutive days, the vessel described herein is considered to be a storage vessel from the date the original vessel was first located at the site. This exclusion does not apply to a well completion vessel as described above.

(2) Process vessels such as surge control vessels, bottoms receivers or knockout vessels.

(3) Pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere.

* * * * *

■ 66. Revise table 1 to subpart OOOO of part 60 to read as follows:

TABLE 1 TO SUBPART OOOO_c OF PART 60—DESIGNATED FACILITY PRESUMPTIVE STANDARDS AND REGULATED ENTITY COMPLIANCE DATES

Designated facility	Model rule presumptive standards section	Regulated entity compliance dates
Wells	a. Gas wells liquids unloading events— § 60.5390c. b. Associated gas wells—§ 60.5391c	36 months after the state plan submittal deadline specified in § 60.5362c(c).
Centrifugal Compressors	§ 60.5392c.	
Reciprocating Compressors	§ 60.5393c.	
Process Controllers	§ 60.5394c.	
Pumps	§ 60.5395c.	
Storage Vessels	§ 60.5396c.	
Fugitive Emissions Components	a. Primary standards—§ 60.5397c	
	b. Alternative standards for fugitive emissions components and covers and closed vent systems—§ 60.5398c.	
Super Emitter Events	§ 60.5388c.	
Process Unit Equipment	a. Onshore natural gas processing plants— § 60.5400c. b. Process unit equipment alternative standards—§ 60.5401c. c. Process unit equipment requirement exceptions—§ 60.5402c.	

■ 67. Amend table 4 to subpart OOOO_c of part 60 by revising the entry for “§ 60.8” to read as follows:

TABLE 4 TO SUBPART OOOO_c OF PART 60—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART OOOO_c

General provisions citation	Subject of citation	Applies to subpart?	Explanation
*	*	*	*
§ 60.8	Performance tests	Yes	Except that the format and submittal of performance test reports is described in § 60.5420c(b) and (d). Performance testing is required for control devices used on wells, storage vessels, centrifugal compressors, reciprocating compressors, process controllers, and pumps, as applicable, except that performance testing is not required for a control device used solely on pump(s).
*	*	*	*

[FR Doc. 2024–13206 Filed 7–31–24; 8:45 am]

BILLING CODE 6560–50–P

§ 60.17 [Corrected]

■ 1. On page 40027, in the second column, in amendment 2, correct the text of instruction 2.a. to read “Revising paragraphs (d)(1), (g)(15) and (16), (h)(37), (42), (46), (143), (202), and (208), the introductory text of paragraph (i);”

■ 2. On page 40027, in the third column, in § 60.17(h):

- a. Correct “(38)” to read “(37)”;
- b. Correct “(43)” to read “(42)”;
- c. Correct “(47)” to read “(46)”;
- d. Correct “(145)” to read “(143)”;
- e. Correct “(206)” to read “(202)”;
- f. Correct “(212)” to read “(208)”.

II. As of July 15, 2024, in FR Doc. 2024–07002 at 89 FR 42932 in the **Federal Register** of Thursday May 16, 2024, make the following corrections:

§ 60.17 [Corrected]

- 3. On page 43067, in the second column, in amendment 2:
 - a. Correct instruction 2.c. to read “Revising and republishing paragraph (k).”; and
 - b. Remove instruction 2.d.
- 4. On page 43068, in the first column, in § 60.17, correct “(j)” to read “(k)”.

Joseph Goffman,

Assistant Administrator, Office of Air and Radiation.

[FR Doc. 2024–14407 Filed 7–3–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 60 and 63**

[EPA–HQ–OAR–2020–0371; EPA–HQ–OAR–2022–0730; FRL–12066–01–OAR]

RIN 2060–AU97; 2060–AV71

New Source Performance Standards (NSPS) for the Synthetic Organic Chemical Manufacturing Industry (SOCMI) and National Emission Standards for Hazardous Air Pollutants (NESHAP) for the SOCMI and Group I & II Polymers and Resins Industry and NESHAP: Gasoline Distribution Technology Reviews and NSPS Review for Bulk Gasoline Terminals; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule, correction.

SUMMARY: The Environmental Protection Agency (EPA) is correcting final rules that appeared in the **Federal Register** on May 8, 2024, and May 16, 2024. This action corrects instructions allowing Office of **Federal Register** editors to codify the amendments from the rules.

This action also includes express instructions to lift the stay of provisions granted on June 2, 2008 (73 FR 31372). The corrections to instructions in this document do not alter or change the content or text of any regulatory provision.

DATES: The correction to 40 CFR 63.11099, at instruction 6, is effective July 8, 2024. The corrections to 40 CFR 60.481, 60.482–1, 60.481a, 60.482–1a, and 60.482–11a, at instructions 1 through 5, are effective July 15, 2024.

FOR FURTHER INFORMATION CONTACT: For the Gasoline Distribution rules, contact U.S. EPA, Attn: Ms. Jennifer Caparoso, Mail Drop: E143–01, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711; telephone number: (919) 541–4063; and email address: caparoso.jennifer@epa.gov. For the Synthetic Organic Chemical Manufacturing Industry rules, contact U.S. EPA, Attn: Mr. Andrew Bouchard, Mail Drop: E143–01, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, North Carolina 27711; telephone number: (919) 541–4036; and email address: bouchard.andrew@epa.gov.

SUPPLEMENTARY INFORMATION: The EPA published two final actions, 89 FR 39304 (May 8, 2024) and 89 FR 42932 (May 16, 2024), that amended 40 CFR part 63, subpart BBBBBB, and 40 CFR part 60, subparts VV and VVa, respectively. The Office of **Federal Register** (OFR) editor is unable to carry out certain instructions of the rules as currently written. This action corrects the instructions allowing OFR editors to codify the amendments from each rule. Additionally, this action includes express instructions in the amendatory text to lift the stay of the definition of “Process unit” and the method of allocating shared storage vessels in 40 CFR part 60, subpart VV, as well as the stay of the definitions of “Process unit” and “Capital expenditure” and the method of allocating shared storage vessels in 40 CFR part 60, subpart VVa.

Corrections

In FR Doc. 2024–07002, appearing in page 42932 in the **Federal Register** of Thursday, May 16, 2024, the following corrections are made:

§ 60.481 [Corrected]

■ 1. Effective July 15, 2024, on page 43068, in the second column, in part 60, amendatory instruction 4 is corrected to read as follows:

“■ 4. Amend § 60.481 by lifting the stay on the definition of “Process unit” and revising the definition of “Process unit”.

The revision reads as follows:”

§ 60.482–1 [Corrected]

■ 2. Effective July 15, 2024, on page 43068, in the second column, in part 60, amendatory instruction 5 is corrected to read as follows:

“■ 5. Amend § 60.482–1 by lifting the stay on paragraph (g) and removing paragraph (g).”

§ 60.481a [Corrected]

■ 3. Effective July 15, 2024, on page 43070, in the second column, in part 60, amendatory instruction 11 is corrected to read as follows:

“■ 11. Amend § 60.481a by lifting the stay on the definitions of “Capital expenditure” and “Process unit” and revising the definitions to read as follows:”

§ 60.482–1a [Corrected]

■ 4. Effective July 15, 2024, on page 43070, in the first column, in part 60, amendatory instruction 12 is corrected to read as follows:

“■ 12. Amend § 60.482–1a by:

- a. Revising paragraph (e); and
- b. Lifting the stay on paragraph (g) and removing paragraph (g).

The revisions read as follows:”

§ 60.482–11a [Corrected]

■ 5. Effective July 15, 2024, on page 43070, in the second column, in part 60, amendatory instruction 13 is corrected to read as follows:

“■ 13. Amend § 60.482–11a by lifting the stay and removing the section.”

In FR Doc. 2024–04629, appearing on page 39304 in the **Federal Register** on Wednesday, May 8, 2024, the following correction is made:

§ 63.11099 [Corrected]

■ 6. Effective July 8, 2024, on page 39383, in the third column, in part 63, amendatory instruction 29 is corrected to read as follows:

“■ 29. Section 63.11099 is amended by revising paragraph (c) introductory text and adding paragraph (c)(5) to read as follows:”

Joseph Goffman,

Assistant Administrator.

[FR Doc. 2024–14678 Filed 7–3–24; 8:45 am]

BILLING CODE 6560–50–P

have provided. For more information about privacy and submissions to the docket in response to this document, see DHS's eRulemaking System of Records Notice (85 FR 14226, March 11, 2020).

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

- 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Add § 165.T08–0824 to read as follows:

§ 165.T08–0824 Safety Zone; Kentucky River, Frankfort, KY.

(a) *Location.* The following area is a safety zone: All navigable waters of the Kentucky River from Mile Marker (MM) 65.5 to MM 66, extending the entire width of the river.

(b) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of USCG Sector Ohio Valley.

(2) Vessels requiring entry into this safety zone must request permission from the COTP or a designated representative. To seek entry into the safety zone, contact the COTP or the COTP's representative by telephone at 502–779–5422 or on VHF–FM channel 16.

(3) Persons and vessels permitted to enter this safety zone must transit at their slowest safe speed and comply with all lawful directions issued by the COTP or the designated representative.

(c) *Enforcement period.* This section will be enforced 24 hours a day from September 7, 2024 and will continue through December 6, 2024 or until the bridge is demolished or the hazard has been mitigated, whichever occurs first.

Dated: September 6, 2024.

Heather. R. Mattern,

Captain, U.S. Coast Guard, Captain of the Port Sector Ohio Valley.

[FR Doc. 2024–20696 Filed 9–11–24; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2024–0776]

Safety Zones; Fireworks Displays in the Fifth Coast Guard District—Philadelphia, PA

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce a safety zone for the Cooper Foundation Gala fireworks display on the Delaware River on September 27, 2024, to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Fifth Coast Guard District identifies the regulated area for this event in Philadelphia, PA. During the enforcement period, the operator of any vessel in the regulated area must comply with directions from the Patrol Commander or any Official Patrol displaying a Coast Guard ensign.

DATES: The regulations in 33 CFR 165.506, for Philadelphia, PA, will be enforced for the location identified in entry 10 of table 1 to paragraph (h)(1) from 8:30 p.m. through 9 p.m. on September 27, 2024.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notice of enforcement, you may call or email Petty Officer Jonathan Lougheed, U.S. Coast Guard, Sector Delaware Bay, Waterways Management Division, telephone: 215–271–4814, email: SecDelBayWWM@uscg.mil.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a safety zone for the Delaware River, Philadelphia, PA safety zone from 8:30 p.m. to 9 p.m. on September 27, 2024. This action is necessary to ensure safety of life on the navigable waters of the United States immediately prior to, during, and immediately after fireworks displays. Our regulation for safety zones of fireworks displays within the Fifth Coast Guard District, table 1 to paragraph (h)(1) to 33 CFR 165.506, entry 10 specifies the location of the regulated area as all waters of the

Delaware River adjacent to Penn's Landing, Philadelphia, PA, within a 500-foot radius of the fireworks barge position. On September 27, 2024, the approximate position will be 39°56'53.65" N, 75°08'03.43" W. During the enforcement period, as reflected in § 165.506(d), vessels may not enter, remain in, or transit through the safety zone unless authorized by the Captain of the Port or designated Coast Guard patrol personnel on-scene.

In addition to this notification of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners, marine information broadcasts, and Broadcast Notice to Mariners.

Dated: Sept. 3, 2024.

Kate F. Higgins-Bloom,

Captain, U.S. Coast Guard, Captain of the Port, Sector Delaware Bay.

[FR Doc. 2024–20629 Filed 9–11–24; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA–HQ–OAR–2022–0730; FRL–9327.1–01–OAR]

RIN 2060–AW29

New Source Performance Standards for the Synthetic Organic Chemical Manufacturing Industry and National Emission Standards for Hazardous Air Pollutants for the Synthetic Organic Chemical Manufacturing Industry and Group I & II Polymers and Resins Industry; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Correcting amendments.

SUMMARY: The Environmental Protection Agency (EPA) is making two corrections to the final action that appeared in the **Federal Register** on May 16, 2024. The first correction allows the Office of Federal Register editors to codify and add paragraphs inadvertently removed from that final action in a recent correction published in the **Federal Register** on July 5, 2024. This correction does not alter or change the content or text of any regulatory provision in that final action. The second correction moves the placement of 3 explanatory notes in the regulatory text; this correction does not change the content of the explanatory notes.

DATES: Effective September 12, 2024.

FOR FURTHER INFORMATION CONTACT: Mr. Andrew Bouchard, Sector Policies and

Programs Division, Mail Drop: E143–01, Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, North Carolina 27711; telephone number: (919) 541–4036; and email address: bouchard.andrew@epa.gov.

SUPPLEMENTARY INFORMATION: This is the second set of corrections made to the published final action 89 FR 42932 (May 16, 2024) (“Final Action”). The first set of corrections was published in the **Federal Register** 89 FR 55522 (July 5, 2024). The EPA is making 2 corrections in this action. First, the EPA is correcting 40 CFR 60.482–1a, which was inadvertently changed in the July 5, 2024, notice. In that first correction notice, the EPA revised instruction 12 to facilitate publication of 40 CFR 60.482–1a, as amended in the May 16, 2024, Final Action, in the Code of Federal Regulation. However, by stating that it was “revising paragraph (e)” instead of “revising paragraph (e) introductory text,” the revised instruction 12 erroneously removed paragraphs (e)(1) through (3) of 40 CFR 60.482–1a. We are correcting this error and reinstating 40 CFR 60.482–1a(e)(1) through (3). Second, the EPA is making a correction to the Final Action by moving the placement of the “Note” within 40 CFR 60.610, 60.660, and 60.700 to the end of each regulatory section in order to clarify that the Note applies to the entire section. These regulatory notes, which were previously promulgated, appeared at the end of the regulatory sections and thereby applied to the entire regulatory

sections. However, in adding a new paragraph (e) in each of these 3 sections, the 2024 Final Action inadvertently placed the new paragraph (e) after the explanatory note in each of these sections. We are correcting this error by moving the explanatory note back to the end of each of these 3 sections, as they appeared prior to the 2024 Final Action. This correction does not change the content or text of the of the explanatory notes.

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Joseph Goffman,
Assistant Administrator.

For the reasons stated in the preamble, the EPA amends title 40, chapter I, part 60 of the Code of Federal Regulations by making the following correcting amendments:

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

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

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

- 2. Amend § 60.482–1a by adding paragraphs (e)(1) through (3) to read as follows:

§ 60.482–1a Standards: General

* * * * *

(e) * * *

(1) The equipment is in VOC service only during startup and shutdown, excluding startup and shutdown between batches of the same campaign for a batch process.

(2) The equipment is in VOC service only during process malfunctions or other emergencies.

(3) The equipment is backup equipment that is in VOC service only when the primary equipment is out of service.

* * * * *

§ 60.610 [Amended]

- 3. Amend § 60.610 by redesignating the note following paragraph (d)(4) as “Note 1 to § 60.610” and moving it to the end of the section.

§ 60.660 [Amended]

- 4. Amend § 60.660 by redesignating the note following paragraph (d)(4) as “Note 1 to § 60.660” and moving it to the end of the section.

§ 60.700 [Amended]

- 5. Amend § 60.700 by redesignating the note following paragraph (d)(4) as “Note 1 to § 60.700” and moving it to the end of the section.

[FR Doc. 2024–20646 Filed 9–11–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 60****[EPA-HQ-OAR-2023-0358; FRL-10655-02-OAR]****RIN 2060-AV93****New Source Performance Standards Review for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels)****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is finalizing amendments to the new source performance standards (NSPS) for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) pursuant to the review required by the Clean Air Act (CAA). The EPA is finalizing revisions to the NSPS that are applicable to volatile organic liquid (VOL) storage vessels that commence construction, reconstruction, or modification after October 4, 2023, under a new NSPS subpart, as well as amendments to an existing subpart. In the new NSPS subpart Kc, the EPA is finalizing requirements to reduce the vapor pressure applicability thresholds and revise the volatile organic compound (VOC) standards to reflect the best system of emission reduction (BSER) for affected storage vessels. In addition, the EPA is finalizing degassing emission controls; clarification of startup, shutdown, and malfunction (SSM) requirements; additional monitoring requirements; and other technical improvements.

DATES: This final rule is effective on October 15, 2024. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of October 15, 2024.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2023-0358. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only as portable document format (PDF) versions that can only be accessed on the EPA computers in the docket office reading room. Certain

databases and physical items cannot be downloaded from the docket but may be requested by contacting the Public Reading Room at (202) 566-1744. The docket office has up to 10 business days to respond to these requests. With the exception of such material, publicly available docket materials are available electronically in *Regulations.gov* or on the EPA computers in the Public Reading Room at the EPA Docket Center, WJC West Building, Room Number 3334, 1301 Constitution Ave. NW, Washington, DC. The Public Reading Room hours of operation are 8:30 a.m. to 4:30 p.m. Eastern Standard Time (EST), Monday through Friday. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the EPA Docket Center is (202) 566-1742.

FOR FURTHER INFORMATION CONTACT: Mr. Michael Cantoni III, Sector Policies and Programs Division (E143-01), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, 109 T.W. Alexander Drive, P.O. Box 12055, Research Triangle Park, North Carolina 27711; telephone number: (919) 541-5593; and email address: cantoni.michael@epa.gov.

SUPPLEMENTARY INFORMATION:

Preamble acronyms and abbreviations. Throughout this document the use of “we,” “us,” or “our” is intended to refer to the EPA. We use multiple acronyms and terms in this preamble. While this list may not be exhaustive, to ease the reading of this preamble and for reference purposes, the EPA defines the following terms and acronyms here:

AMEL alternative means of emissions limitation
API American Petroleum Institute
ASTM American Society for Testing and Materials
AVO audible, visual, and olfactory
BSER best system of emission reduction
CAA Clean Air Act
CBI Confidential Business Information
CDX Central Data Exchange
CEDRI Compliance and Emissions Data Reporting Interface
CFR Code of Federal Regulations
EFR external floating roof
EIA economic impact analysis
EJ environmental justice
EPA Environmental Protection Agency
FR Federal Register
gal gallons
HAP hazardous air pollutant(s)
IBR incorporate by reference
ICR information collection request
IFR internal floating roof
kg/hr kilograms per hour
kPa kilopascals
LEL lower explosive limit
m3 cubic meters
MON Miscellaneous Organic Chemical Manufacturing NESHAP

MTVP maximum true vapor pressure
NAICS North American Industry Classification System
NESHAP national emission standards for hazardous air pollutants
NSPS new source performance standards
NTAA National Tribal Air Association
NTTAA National Technology Transfer and Advancement Act
OMB Office of Management and Budget
PDF portable document format
PRA Paperwork Reduction Act
PRD pressure relief device
ppmv parts per million by volume
psia pounds per square inch absolute
psig pounds per square inch gauge
RFA Regulatory Flexibility Act
RIN Regulatory Information Number
SCAQMD South Coast Air Quality Management District
SSM startup, shutdown, and malfunction
STERPP 2000 U.S. EPA Storage Tank Emission Reduction Partnership Program
UMRA Unfunded Mandates Reform Act
VCU vapor combustion unit
VOC volatile organic compound(s)
VOL volatile organic liquid

Organization of this document. The information in this preamble is organized as follows:

- I. General Information
 - A. Does this action apply to me?
 - B. Where can I get a copy of this document and other related information?
 - C. Judicial Review and Administrative Review
- II. Background
 - A. What is the statutory authority for this action?
 - B. How does the EPA perform the NSPS review?
 - C. What is the source category regulated in this final action?
 - D. What outreach and engagement did the EPA conduct?
- III. What changes did we propose for the VOL Storage Vessel NSPS?
- IV. What actions are we finalizing and what is our rationale for such decisions?
 - A. Revised NSPS for VOL Storage Vessels That Commenced Construction, Reconstruction, or Modification After July 23, 1984, and on or Before October 4, 2023
 - B. Revised NSPS for VOL Storage Vessels That Commenced Construction, Reconstruction, or Modification After October 4, 2023
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- J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental Justice for All
- K. Congressional Review Act (CRA)

I. General Information

A. Does this action apply to me?

The source category that is the subject of this final action is composed of VOL storage vessels (including petroleum liquid storage vessels) regulated under CAA section 111, NSPS. The 2022 North American Industry Classification System (NAICS) codes for the source category are 325, 324, and 422710. The NAICS codes serve as a guide for readers outlining the type of entities that this final action is likely to affect. The NSPS codified in 40 CFR part 60, subpart Kc, are directly applicable to affected facilities that begin construction, reconstruction, or modification after October 4, 2023. Final amendments to 40 CFR part 60, subpart Kb, are applicable to affected facilities that begin construction, reconstruction, or modification after July 23, 1984, and before October 4, 2023. Federal, State, local, and Tribal government entities that own and/or operate VOL storage vessels are affected by this action. If you have any questions regarding the applicability of this action to a particular entity, you should carefully examine the applicability criteria found in 40 CFR part 60, subparts Kb and Kc, and consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this preamble, your State air pollution control agency with delegated authority for NSPS, or your EPA Regional Office.

B. Where can I get a copy of this document and other related information?

In addition to being available in the docket, an electronic copy of this final action is available on the internet at

<https://www.epa.gov/stationary-sources-air-pollution/volatile-organic-liquid-storage-vessels-including-petroleum>. Following publication in the **Federal Register**, the EPA will post the **Federal Register** version of the final rule and key technical documents at this same website.

C. Judicial Review and Administrative Review

Under CAA section 307(b)(1), judicial review of this final action is available only by filing a petition for review in the United States Court of Appeals for the District of Columbia Circuit (the court) by December 16, 2024. Under CAA section 307(b)(2), the requirements established by this final rule may not be challenged separately in any civil or criminal proceedings brought by the EPA to enforce the requirements.

Section 307(d)(7)(B) of the CAA further provides that “[o]nly an objection to a rule or procedure which was raised with reasonable specificity during the period for public comment (including any public hearing) may be raised during judicial review.” This section also provides a mechanism for the EPA to convene a proceeding for reconsideration, “[i]f the person raising an objection can demonstrate to the EPA that it was impracticable to raise such objection within [the period for public comment] or if the grounds for such objection arose after the period for public comment (but within the time specified for judicial review) and if such objection is of central relevance to the outcome of the rule.” Any person seeking to make such a demonstration to us should submit a Petition for Reconsideration to the Office of the Administrator, U.S. Environmental Protection Agency, Room 3000, WJC West Building, 1200 Pennsylvania Ave. NW, Washington, DC 20460, with a copy to both the person(s) listed in the preceding **FOR FURTHER INFORMATION CONTACT** section and the Associate General Counsel for the Air and Radiation Law Office, Office of General Counsel (Mail Code 2344A), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460.

II. Background

A. What is the statutory authority for this action?

The EPA's authority for this final rule is CAA section 111, which governs the establishment of standards of performance for stationary sources. Section 111(b)(1)(A) of the CAA requires the EPA Administrator to list categories of stationary sources that in the

Administrator's judgment cause or contribute significantly to air pollution that may reasonably be anticipated to endanger public health or welfare. The EPA must then issue performance standards for new (and modified or reconstructed) sources in each source category pursuant to CAA section 111(b)(1)(B). These standards are referred to as new source performance standards, or NSPS. The EPA has the authority to define the scope of the source categories, determine the pollutants for which standards should be developed, set the emission level of the standards, and distinguish among classes, types, and sizes within categories in establishing the standards.

CAA section 111(b)(1)(B) requires the EPA to “at least every 8 years review and, if appropriate, revise” new source performance standards. However, the Administrator need not review any such standard if the “Administrator determines that such review is not appropriate in light of readily available information on the efficacy” of the standard. When conducting a review of an existing performance standard, the EPA has the discretion and authority to add emission limits for pollutants or emission sources not currently regulated for that source category.

In setting or revising a performance standard, CAA section 111(a)(1) provides that performance standards are to reflect “the degree of emission limitation achievable through the application of the best system of emission reduction which (taking into account the cost of achieving such reduction and any nonair quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated.” The term “standard of performance” in CAA section 111(a)(1) makes clear that the EPA is to determine both the best system of emission reduction for the regulated sources in the source category and the degree of emission limitation achievable through application of the BSER. The EPA must then, under CAA section 111(b)(1)(B), promulgate standards of performance for new sources that reflect that level of stringency. CAA section 111(b)(5) generally precludes the EPA from prescribing a particular technological system that must be used to comply with a standard of performance. Rather, sources can select any measure or combination of measures that will achieve the standard. CAA section 111(h)(1) authorizes the Administrator to promulgate “a design, equipment, work practice, or operational standard, or combination thereof” if in his or her judgment, “it is not feasible to prescribe

or enforce a standard of performance.” CAA section 111(h)(2) provides the circumstances under which prescribing or enforcing a standard of performance is “not feasible,” such as when the pollutant cannot be emitted through a conveyance designed to emit or capture the pollutant or when there is no practicable measurement methodology for the particular class of sources.

Pursuant to the definition of new source in CAA section 111(a)(2), standards of performance apply to facilities that begin construction, reconstruction, or modification after the date of publication of the proposed standards in the **Federal Register**. Under CAA section 111(a)(4), “modification” means any physical change in, or change in the method of operation of, a stationary source that increases the amount of any air pollutant emitted by such source or which results in the emission of any air pollutant not previously emitted. Changes to an existing facility that do not result in an increase in emissions are not considered modifications. Under the provisions in 40 CFR 60.15, “reconstruction” means the replacement of components of an existing facility such that: (1) the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility; and (2) it is technologically and economically feasible to meet the applicable standards. Pursuant to CAA section 111(b)(1)(B), the standards of performance or revisions thereof shall become effective upon promulgation.

B. How does the EPA perform the NSPS review?

As noted in section II.A. of this preamble, CAA section 111 requires the EPA to, at least every 8 years, review and, if appropriate, revise the standards of performance applicable to new, modified, and reconstructed sources. If the EPA revises the standards of performance, the standards must reflect the degree of emission limitation achievable through the application of the BSER considering the cost of achieving such reduction and any nonair quality health and environmental impact and energy requirements. CAA section 111(a)(1).

In reviewing an NSPS to determine whether it is “appropriate” to revise the standards of performance, the EPA evaluates the statutory factors, which may include consideration of the following information:

- Expected growth for the source category, including how many new facilities, reconstructions, and

modifications may trigger NSPS in the future.

- Pollution control measures, including advances in control technologies, process operations, design or efficiency improvements, or other systems of emission reduction, that are “adequately demonstrated” in the regulated industry.

- Available information from the implementation and enforcement of current requirements that indicates that emission limitations and percent reductions beyond those required by the current standards are achieved in practice.

- Costs (including capital and annual costs) associated with implementation of the available pollution control measures.

- The amount of emission reductions achievable through application of such pollution control measures.

- Any non-air quality health and environmental impact and energy requirements associated with those control measures.

In evaluating whether the cost of a particular system of emission reduction is reasonable, the EPA considers various costs associated with the particular air pollution control measure or a level of control, including capital costs and operating costs, and the emission reductions that the control measure or particular level of control can achieve. The Agency considers these costs in the context of the industry’s overall capital expenditures and revenues. The Agency also considers cost effectiveness analysis as a useful metric and as a means of evaluating whether a given control achieves emission reduction at a reasonable cost. A cost effectiveness analysis allows comparisons of relative costs and outcomes (effects) of two or more options. In general, cost effectiveness is a measure of the outcomes produced by resources spent. In the context of air pollution control options, cost effectiveness typically refers to the annualized cost of implementing an air pollution control option divided by the amount of pollutant reductions realized annually.

After the EPA evaluates the statutory factors, the EPA compares the various systems of emission reductions and determines which system is “best” and therefore represents the BSER. The EPA then establishes a standard of performance that reflects the degree of emission limitation achievable through the implementation of the BSER. In performing this analysis, the EPA can determine whether subcategorization is appropriate based on classes, types, and sizes of sources, and may identify a different BSER and establish different

performance standards for each subcategory. The result of the analysis and the BSER determination leads to standards of performance that apply to facilities that begin construction, reconstruction, or modification after the date of publication of the proposed standards in the **Federal Register**. Because the NSPS reflect the BSER under conditions of proper operation and maintenance, in doing its review, the EPA also evaluates and determines the proper testing, monitoring, recordkeeping, and reporting requirements needed to ensure compliance with the emission standards.

C. What is the source category regulated in this final action?

The EPA first promulgated NSPS for petroleum liquid storage vessels on March 8, 1974 (39 FR 9317). These standards of performance are codified in 40 CFR part 60, subpart K, and are applicable to sources that commence construction, modification, or reconstruction after June 11, 1973, and prior to May 19, 1978. These standards were amended several times before 1980, when the EPA proposed to establish revised NSPS for petroleum liquid storage vessels as NSPS subpart Ka (45 FR 23379; April 4, 1980). In 1982, the EPA published a list of priority sources for which additional NSPS should be established (47 FR 951; January 8, 1982), and VOL storage vessels at synthetic organic chemical manufacturers were included in the priority list.

Pursuant to the EPA’s authority under CAA section 111, the Agency proposed (49 FR 29698; July 23, 1984) and promulgated (52 FR 11420; April 8, 1987) NSPS for VOL storage vessels (including petroleum liquid storage vessels) for which construction, reconstruction, or modification commenced after July 23, 1984, as NSPS subpart Kb.¹ NSPS subpart Kb regulates storage vessels with a capacity of 75 cubic meters (m³) (~20,000 gallons) or more that store VOLs with a maximum true vapor pressure (MTVP) greater than or equal to 15.0 kilopascals (kPa) (~2.18 pounds per square inch absolute (psia)) and from storage vessels with a capacity of 151 m³ (~40,000 gallons) or more that store organic liquids with an MTVP

¹ On October 15, 2003 (68 FR 59328), the EPA finalized amendments to NSPS subpart Kb to exempt certain storage vessels by capacity and vapor pressure, exempt process tanks, and add a process tank definition. At the same time, the EPA also amended the rule to exempt storage vessels that are subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Solvent Extraction of Vegetable Oil Production.

greater than or equal to 3.5 kPa (~0.51 psia). VOC emissions controls are required on storage vessels with a capacity of 75 m³ (~20,000 gallons) or more that store VOLs with an MTVP greater than or equal to 27.6 kPa (~4.0 psia) and from storage vessels with a capacity of 151 m³ (~40,000 gallons) or more that store organic liquids with an MTVP greater than or equal to 5.2 kPa (~0.75 psia). NSPS subpart Kb emission controls include the use of an external floating roof (EFR), an internal floating roof (IFR), or a closed vent system and a control device (see 40 CFR 60.110b(a) and 40 CFR 60.112b(a) and (b)).^{2,3} NSPS subpart Kb also specifies testing, monitoring, recordkeeping, reporting, and other requirements in 40 CFR 60.113b through 40 CFR 60.116b to ensure compliance with the standards. Storage vessels with an EFR consist of an open-top cylindrical steel shell equipped with a deck that floats on the surface (commonly referred to as a floating “roof”) of the stored liquid. Storage vessels with an IFR are fixed roof vessels⁴ that also have a deck internal to the vessel that floats on the liquid surface (commonly referred to as an internal floating “roof”) within the fixed roof vessel.

The standards set in NSPS subpart Kb for storage vessels with an EFR or IFR are a combination of design, equipment, work practice, and operational standards set pursuant to CAA section 111(h). These standards require, among other things, that a rim seal be installed continuously around the circumference of the vessel (between the inner wall of the vessel and the floating roof) to prevent VOC emissions from escaping to the atmosphere through gaps between the floating roof and the inner wall of the storage vessel. For IFRs, NSPS subpart Kb allows a single liquid-mounted or mechanical shoe primary seal (to be used with or without a secondary seal), or a vapor-mounted primary seal in combination with a

secondary seal. For EFRs, NSPS subpart Kb allows either a liquid-mounted or mechanical shoe primary seal, both of which must be used with a secondary seal; vapor-mounted primary seals are not allowed for EFRs. NSPS subpart Kb also requires numerous deck fittings⁵ on the floating roof to be equipped with a gasketed cover or lid that is kept in the closed position at all times (*i.e.*, no visible gap), except when the device (deck fitting) is in actual use, to prevent VOC emissions from escaping through the deck fittings. In addition, NSPS subpart Kb requires owners and operators to conduct visual inspections to check for defects in the floating roof, rim seals, and deck fittings (*e.g.*, holes, tears, or other openings in the rim seal, or covers and lids on deck fittings that no longer close properly) that could expose the liquid surface to the atmosphere and potentially result in VOC emission losses through rim seals and deck fittings.⁶

NSPS subpart Kb includes two primary alternative means of compliance. Owners or operators may either comply with the consolidated air rule provisions for storage vessels in 40 CFR part 65, subpart C, or comply with the national emission standards for hazardous air pollutants (NESHAP) for storage vessels in 40 CFR part 63, subpart WW (NESHAP subpart WW). The substantive control requirements in these rules are the same as in NSPS subpart Kb although they may have slight differences in the details of the fitting and inspection requirements.

The EPA proposed the current review of the VOL storage vessels (including petroleum liquid storage vessels) NSPS subpart Kb on October 4, 2023. We received 29 comments from industry, environmental groups, State environmental agencies, and others during the comment period. After the conclusion of the comment period, we received one additional comment in February 2024. A summary of the more significant comments we received regarding the proposed rule and our responses are provided in this preamble.

² All affected storage vessels storing organic liquids with a true vapor pressure of 76.6 kPa or more must use a closed vent system and a control device. See 40 CFR 60.112b(b).

³ As part of NSPS subpart Kb, the EPA proposed (49 FR 29703; July 23, 1984) and finalized (52 FR 11421; April 8, 1987) that the best demonstrated technology for vessels storing VOL liquids with vapor pressures less than 76.6 kPa (≤ 11.1 psia) consists of an IFR with a liquid-mounted or mechanical shoe primary seal and controlled fittings or an EFR with a liquid-mounted or mechanical shoe primary seal and gasketed fittings. For vessels with greater vapor pressures, the EPA determined the best demonstrated technology to be a closed vent system and control device.

⁴ A fixed roof storage vessel consists of a cylindrical steel shell with a permanently affixed roof, which may vary in design from cone or dome-shaped to flat.

⁵ Numerous fittings pass through or are attached to floating decks to accommodate structure support components or to allow for operational functions. Typical deck fittings include, but are not limited to access hatches, gauge floats, gauge hatch/sample wells, rim vents, deck drains, deck legs, vacuum breakers, pontoon covers and guidepoles. IFR storage vessels may also have deck seams, fixed roof support columns, ladders, and/or stub drains.

⁶ For details about storage vessel emissions, refer to the *Compilation of Air Pollutant Emission Factors, Volume 1: Stationary Point and Area Sources, AP-42, Fifth Edition, Chapter 7: Liquid Storage Tanks*, dated June 2020 which is available at: <https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emissions-factors>.

A summary of all other public comments on the proposal and the EPA's responses to those comments is available in *New Source Performance Standards for Volatile Organic Liquid Storage Vessels, Background Information for Final Amendments, Summary of Public Comments and Responses*, Docket ID No. EPA-HQ-OAR-2023-0358. In this action, the EPA is finalizing decisions and revisions pursuant to CAA section 111(b)(1)(B) review for VOL storage vessels after our considerations of all the comments received.

D. What outreach and engagement did the EPA conduct?

As part of this rulemaking, the EPA engaged and consulted with the public, including communities with environmental justice (EJ) concerns, through interactions such as providing a webinar, offering information on the website for this rule, and informing the public of the proposed action by sending notifications with summaries of the action and information on how to comment. These opportunities allowed the EPA to hear directly from the public, especially communities potentially impacted by this final action. The webinar slides can be found in the docket for this rule (Docket ID No. EPA-HQ-OAR-2023-0358).

Prior to proposal publication, the EPA conducted outreach by providing background on the source category and the existing requirements of NSPS subpart Kb on the September 19, 2023, EJ National Community Engagement call and on the August 31, 2023, National Tribal Air Association (NTAA) call. After publication, the EPA conducted a community outreach webinar on October 24, 2023, which was focused on discussing the details of the proposed rulemaking and how to provide comment on the proposed rule. Additionally, the EPA discussed the contents of the proposed rule on an October 26, 2023, NTAA call and encouraged interested parties to submit comments. The EPA received a request from one Tribe for consultation. On November 8, 2023, the EPA met with that Tribe for the purposes of discussing NSPS subpart Kc and other issues but was unable to conduct consultation on this specific rulemaking.

III. What changes did we propose for the VOL Storage Vessel NSPS?

On October 4, 2023, the EPA proposed the current review of the VOL Storage Vessel NSPS. In that action, we proposed the following actions under NSPS subpart Kc:

- General applicability thresholds that include VOL storage vessels greater than or equal to 20,000 gallons (gal).
- Vapor pressure thresholds for controlled VOL storage vessels greater than or equal to 40,000 gal (151 m³) with MTVPs greater than or equal to 0.5 psia (3.4 kPa).
- Vapor pressure thresholds for controlled VOL storage vessels greater than or equal to 20,000 gal (75.7 m³) and less than 40,000 gal (151 m³) with MTVPs greater than or equal to 1.5 psia (10.3 kPa).
- Improved standards of performance for vessels that have IFRs, EFRs, and closed vent systems routed to a control device, fuel gas system, or process designed to achieve an average 98 percent control efficiency.
- Updated standards of performance for IFR storage vessels that include improved seal system requirements, guidepole configurations reflective of the 2000 U.S. EPA Storage Tank Emission Reduction Partnership Program (STERPP), and annual lower explosive limit (LEL) monitoring.
- Updated standards of performance for EFR storage vessels that include requirements for welded deck seams, and improved guidepole requirements.
- Updated standards for closed vent systems that are routed to a control device, fuel gas system, or process and include requirements for preventing emissions venting to atmosphere, annual EPA Method 21 monitoring, and quarterly audible, visual, and olfactory (AVO) inspections.
- Degassing standards of performance for VOL storage vessels greater than or equal to 1 million gal (3,790 m³) with MTVPs greater than or equal to 1.5 psia (10.3 kPa).
- Modification provisions dependent upon an increase of the MTVP from the VOLs previously stored.
- Improved testing, monitoring, and inspection requirements.
- Provisions establishing that emission limitations apply at all times, including during periods of SSM.
- Improved recordkeeping and reporting requirements, which include the implementation of electronic reporting.

Additionally, we proposed to add electronic reporting requirements to the existing subpart, NSPS subpart Kb.

IV. What actions are we finalizing and what is our rationale for such decisions?

The EPA is finalizing revisions to the NSPS for VOL storage vessels pursuant to CAA section 111(b)(1)(B) review. The EPA is promulgating the NSPS revisions in a new subpart, 40 CFR part 60,

subpart Kc. The new NSPS subpart is applicable to affected sources constructed, modified, or reconstructed after October 4, 2023.

Under NSPS subpart Kc, we are finalizing standards that reflect the BSER for affected storage vessels. The rulemaking proposal included different criteria thresholds for general applicability versus for storage vessel control. Under the finalized general applicability provisions, the EPA has included a new exemption for storage vessels that only store VOL with an MTVP less than 0.25 psia (1.7 kPa) in response to comments we received asking to eliminate recordkeeping requirements for storage vessels with vapor pressures well below the thresholds for which controls are required. We are finalizing the capacity and vapor pressure thresholds for which controls are required as proposed. Specifically, we are finalizing control requirements for: (1) VOL storage vessels greater than or equal to 40,000 gal (151 m³) with MTVPs greater than or equal to 0.5 psia (3.4 kPa); and (2) VOL storage vessels greater than or equal to 20,000 gal (75.7 m³) and less than 40,000 gal (151 m³) with MTVPs greater than or equal to 1.5 psia (10.3 kPa). We are also finalizing modification provisions similar to those proposed, but we are clarifying that a modification occurs when a “. . . storage vessel is used to store VOL that has a greater maximum true vapor pressure than *all VOL historically stored or permitted.*”

In addition to updates involving applicability and modification, we are finalizing the proposed standards for storage vessels with IFRs, EFRs, and closed vent systems routed to a control device, fuel gas system, or process, with minor adjustments based on feedback. Regarding degassing controls, we are finalizing the provisions with minor revisions to require controls on nonflammable liquid degassing until reaching 5,000 parts per million by volume (ppmv) as methane vapor space concentration rather than the 10 percent LEL.

We are finalizing testing, monitoring, and inspection requirements as proposed, with some minor revisions that involve matters such as the timelines and frequency for completing inspections, LEL monitoring calibration procedures, inspection requirements, and the MTVP determinations. Similarly, we are finalizing the recordkeeping and reporting requirements with minor revisions from the proposal involving matters such as pressure releases, closed vent system monitoring, and reporting deadlines.

This action also finalizes standards of performance in NSPS subpart Kc that apply at all times including during periods of SSM and other changes such as electronic reporting, as proposed. This action also finalizes revisions in NSPS subpart Kb to require electronic reporting as proposed.

A. Revised NSPS for VOL Storage Vessels That Commenced Construction, Reconstruction, or Modification After July 23, 1984, and on or Before October 4, 2023

We proposed revisions to NSPS subpart Kb to add electronic reporting requirements. We are finalizing those revisions as proposed. Our response to major comments received on the proposed NSPS subpart Kb revisions are provided in this section. Additional public comments received and our responses to those comments are included in the *Summary of Public Comments and Responses* document included in Docket ID No. EPA-HQ-OAR-2023-0358.

Comment: One commenter stated that the EPA has no lawful or rational basis for not reviewing the flare standards from existing NSPS subpart Kb to consider whether to revise NSPS subpart Kb itself. The commenter stated that since the EPA has declined to revise the general provisions to include specific monitoring requirements to ensure compliance, the EPA must revise the NSPS subpart Kb provisions to do so, as expressly required by 40 CFR 60.18(d). The commenter stated that the EPA's failure to consider whether to revise the NSPS subpart Kb standards also violates a consent decree that the EPA entered into to resolve environmental groups' lawsuit regarding the EPA's failure to comply with its 8-year review obligations under CAA section 111(b)(1)(B) for the flare provisions from NSPS subpart Kb and other NSPS subparts, as well as its 8-year review obligations for certain NESHAP subparts.

Response: The EPA disagrees with this comment. We reviewed NSPS subpart Kb and proposed new standards of performance, including new design, operating, and monitoring requirements for flares, in the new NSPS subpart Kc under CAA section 111(b)(1)(B), which requires that the EPA “. . . review and, if appropriate, revise such standards following the same procedures required by this subsection for promulgating such standards.”

CAA section 111(b)(1)(B) does not require retroactive revisions to the existing NSPS subpart (*i.e.*, NSPS subpart Kb). Rather, any revision to an NSPS must follow the same procedures

for promulgating such standards under CAA section 111(b)(1)(B). CAA section 111 establishes a bifurcated approach to regulating sources. Under CAA section 111(b)(1)(B), the EPA is required to promulgate standards of performance for new sources, which CAA section 111(a)(2) defines as “any stationary source, the construction or modification of which is commenced after the publication of regulations (or, if earlier, proposed regulations) prescribing a standard of performance under this section which will be applicable to such source.” Existing sources are defined at CAA section 111(a)(6) to mean “any stationary source other than a new source” and are regulated via a State planning process pursuant to CAA section 111(d). Accordingly, the revisions, which are being finalized in a new NSPS subpart Kc, apply to sources that have commenced construction, reconstruction, or modification after October 4, 2023, the proposal date for this action. Sources presently subject to NSPS subpart Kb are not, by definition under this statutory provision, new sources that could be subjected to the revised standards finalized in NSPS subpart Kc. Rather, they are treated as existing sources relative to the revised standards finalized in NSPS subpart Kc. Revision of the flare provisions in NSPS subpart Kb consistent with the changes being finalized with respect to NSPS subpart Kc would be akin to directly applying a new standard of performance to existing sources, which would be inconsistent with the statutory structure that subjects regulation of new and existing sources to separate processes. Further, NSPS subpart Kc includes standards prescribed in accordance with CAA section 111(h)(1), for flares and other closed vent systems routed to a control device designed to achieve a 98 percent reduction in VOC emissions. Because CAA section 111(b)(1)(B) does not require revisions to the existing NSPS subpart (i.e., NSPS subpart Kb), which continues to require 95 percent reduction in VOC emissions when using a flare, the EPA did not propose in this rulemaking to reopen NSPS subpart Kb to include the new operating and monitoring requirements for flares that are needed to assure 98 percent VOC reduction when using a flare.

Moreover, because regulated sources subject to NSPS subpart Kb were not given notice of any such potential change, altering the flare requirements in NSPS subpart Kb in the final rule would unfairly put sources that have been using flares to comply with NSPS subpart Kb in violation of such

requirements upon the effective date of this final rule. Thus, the EPA is not amending NSPS subpart Kb to reflect the new operating and monitoring flare requirements that are included in the new NSPS subpart Kc. The EPA notes, however, that as existing sources trigger modification, they will become subject to NSPS subpart Kc and the new flare requirements in the rule.

We disagree with the commenter's assertion that our review findings violate the consent decree. In that consent decree, the EPA agreed to review and, if necessary, revise NSPS subpart Kb. In this case, the EPA proposed these revisions as a new subpart to prevent application of “new source” standards to sources that are “existing” at the time of proposal. Thus, our proposal of NSPS subpart Kc reflects our review of NSPS subpart Kb and the revisions to that standard appropriate for new sources.

Comment: One commenter stated that the EPA unlawfully and arbitrarily failed to revise existing NSPS subpart Kb to specify that the SSM exemptions from the [40 CFR part 60] general provisions do not apply. The commenter stated that the EPA has acted outside its statutory authority in promulgating the unlawful SSM exemptions from the general provisions, and therefore the Agency must revise NSPS subpart Kb to make clear that the general provisions' exemptions do not apply. The commenter noted that although CAA section 111(b)(1)(B) allows the EPA to avoid revising standards when “review is not appropriate in light of readily available information on the efficacy of such standard,” the EPA could not lawfully or rationally invoke that exception, since the application of the general provisions' exemptions to NSPS subpart Kb is plainly unlawful.

Response: As noted in the previous comment response, we reviewed the current subpart Kb standards, determined a series of appropriate revisions, and concluded that these revisions should be completed as a separate subpart. We disagree with the commenter that additional revision to NSPS subpart Kb is necessary to remove SSM exemptions in the 40 CFR part 60 general provisions. First, we note that the performance testing requirements in 40 CFR 60.113b(c) clearly indicate that the provisions in 40 CFR 60.8 do not apply. As such, objectionable language regarding performance test results obtained during SSM events is not applicable under NSPS subpart Kb. Second, the SSM exemption in 40 CFR 60.11(c) is also not applicable to NSPS subpart Kb because NSPS subpart Kb

does not contain opacity limits. Because the sections in the 40 CFR part 60 general provisions that contain potentially unlawful SSM exemptions are not applicable under NSPS subpart Kb, we found no need to further revise NSPS subpart Kb at this time.

B. Revised NSPS for VOL Storage Vessels That Commenced Construction, Reconstruction, or Modification After October 4, 2023

This section describes the key technical standards that were proposed, the major comments received on the proposed requirements, our responses to those comments, and our rationale for the final requirements. Additional public comments received on the technical standards and our responses to those comments are included in the *Summary of Public Comments and Responses* document included in Docket ID No. EPA-HQ-OAR-2023-0358.

The EPA is finalizing standards of performance that reflect the BSER as well as alternative compliance standards for controlled storage vessels. The final standards are consistent with the determinations explained in the rulemaking proposal (88 FR 68540–47; October 4, 2023) and the analysis detailed in the memorandum *Control Options for Storage Vessels* in Docket ID No. EPA-HQ-OAR-2023-0358. While the EPA has made minor adjustments to these standards based on public comment, the BSER determination remains unchanged. The adjustments incorporated based on public comment are detailed in sections IV.B.4. and 5. of this document.

In summary, the finalized BSER analyses for NSPS subpart Kc are dependent on the MTVP of a stored VOL and follow the precedent established in NSPS subparts Kb, Ka, and K. In the NSPS subpart K proposal, the EPA detailed its justification for the use of equipment specification (or work practice) standards. As part of the original rulemaking proposal, the EPA explained that equipment specifications are the most practical method of regulating storage vessel emissions. Direct emission measurements for storage vessels are often impractical, and storage vessel emissions are often modeled and dependent on many distinguishing factors and variables. The EPA believes that equipment specification standards are less burdensome for the storage vessel operation and enforcement (38 FR 15406; May 4, 1973). For VOL storage vessels with an MTVP less than 11.1 psia, the EPA is finalizing the following BSER as proposed (88 FR 68542;

October 4, 2023): a fixed roof in conjunction with an internal floating roof equipped with a liquid-mounted or mechanical shoe primary seal and a continuous rim mounted secondary seal, either a flexible fabric sleeve or gasketed sliding cover on pipe columns (if any), specific STERPP compliant guidepole configurations, and gasketed covers.

The EPA is also finalizing two alternative compliance options for VOL storage vessels with MTVPs less than 11.1 psia as proposed:

(1) An external floating roof equipped with a liquid-mounted or mechanical shoe primary seal and a continuous rim-mounted secondary seal, with welded deck seams and both seals meeting certain gap requirements, specific guidepole configurations, and gasketed covers; or

(2) A closed vent system routed to a 98 percent effective control device, fuel gas system, or process.

For VOL storage vessels with MTVPs greater than or equal to 11.1 psia, the EPA is finalizing, as proposed, the BSER as a closed vent system routed to a 98 percent effective control device, fuel gas system, or process.

1. Vapor Pressure Applicability Thresholds

NSPS subpart Kb established control requirements, at 40 CFR 60.112b(a), for storage vessels based on vessel capacity and VOL vapor pressures. In our review of NSPS subpart Kb, we assessed the vapor applicability thresholds for affected facilities and for controls on affected storage vessels to determine whether these thresholds needed to be revised for purposes of NSPS subpart Kc. In NSPS subpart Kb there are two different sets of vapor pressure applicability thresholds: one for determining affected facilities and one for determining controls.

We proposed to not include specific vapor pressure applicability thresholds in defining an affected facility under NSPS subpart Kc. As such, the proposed affected facility under NSPS subpart Kc is any storage vessel with a capacity of 20,000 gallons or more used to store a VOL without exclusion for storage vessels under a set vapor pressure. Based on comments received, we are adding an exemption at 40 CFR 60.110c(b)(8) for storage vessels that only store VOL with an MTVP of less than 0.25 psia. This revision from proposal helps to limit burden for storage vessels that only store VOL with very low vapor pressures, but it does not otherwise impact the control standards proposed for NSPS subpart Kc.

Based on the BSER analysis, we proposed to revise the vapor applicability thresholds that require emission controls under NSPS subpart Kc. Specifically, we proposed to revise the MTVP threshold for smaller storage vessels (those with capacity of at least 20,000 gallons but less than 40,000 gallons) to 1.5 psia and for larger storage vessels (those with capacity of 40,000 gallons or more) to 0.5 psia. We determined that applying controls for VOL at or above these thresholds yielded cost-effective emission reductions. We are finalizing these thresholds as proposed.

2. Other Applicability Provisions

NSPS subpart Kb includes several provisions that exempt specific groups of VOL storage vessels from applicability under the standard. We proposed to carry over several of these exemptions, such as exemptions for: storage vessels that operate at coke oven by-product plants; bulk gasoline plants; gasoline service stations; pressure vessels; vessels attached to mobile vehicles; certain vessels at oil and gas production sites prior to custody transfer; and vessels that store beverage alcohol. We proposed to remove exemptions under NSPS subpart Kc for vessels subject to the NESHAP for solvent extraction for vegetable oil production outlined in 40 CFR part 63, subpart GGGG, because the standards proposed in NSPS subpart Kc are more stringent than the existing NESHAP subpart GGGG standards. We are finalizing these applicability provisions as proposed.

We are adding overlap provisions, based on comments received, to allow storage vessels subject to NSPS subparts K, Ka, or Kb, or NESHAP subpart WW to comply with the provisions in NSPS subpart Kc because the final provisions in NSPS subpart Kc are at least as stringent as those in NSPS subparts Kb, Ka, and K, and NESHAP subpart WW. These overlap provisions, which were not proposed, allow facilities the operational flexibility of simply complying with NSPS subpart Kc if they operate storage vessels covered under the specified existing storage vessel rules.

Comment: One commenter stated that the EPA should add an alternative compliance option that complying with NSPS subpart Kc demonstrates compliance with the floating roof requirements in NESHAP subpart WW. Another commenter suggested that the EPA should address overlaps between NSPS subpart Kc and other rules consistent with the overlap provisions in NSPS subpart Kb.

Response: There are not overlap provisions in NSPS subpart Kb beyond the alternative means of compliance in 40 CFR 60.110b(e). The requirements in the rules listed in 40 CFR 60.110b(e) are not equivalent to the requirements in NSPS subpart Kc, so we removed these alternative means of compliance from NSPS subpart Kc. We agree with commenters that including provisions in NSPS subpart Kc to allow compliance with the provision in NSPS subpart Kc to be considered compliance with the provisions in NSPS subpart Kb or NESHAP subpart WW is appropriate because the final requirements in NSPS subpart Kc are at least as stringent as those in NSPS subpart Kb and NESHAP subpart WW. As such, we have added provisions under 40 CFR 60.110c(h) and 40 CFR 60.110c(i) that allow owners and operators with storage vessels subject to the standards of NSPS subparts K, Ka, and Kb, and NESHAP subpart WW to choose to comply with the provisions of NSPS subpart Kc to demonstrate compliance. This will allow facilities that may be subject to a NESHAP that references NSPS subpart Kb or NESHAP subpart WW but also subject to NSPS subpart Kc to consolidate their recordkeeping and reporting requirements and comply only with NSPS subpart Kc.

3. Modification Provisions

For purposes of CAA section 111, modifications are defined as “. . . any physical change in, or change in the method of operation of,” an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted. NSPS subpart A further provides provisions explaining how a modification is identified, as well as defining certain exemptions to those general rules. In particular, 40 CFR 60.14(e)(4) states that the “[u]se of an alternative fuel or raw material” is not considered a modification if the existing facility was designed to accommodate that alternative use. The EPA proposed, for purposes of NSPS subpart Kc, that a change in the liquid stored in the storage vessel to a VOL with a higher MTVP does not constitute a “use of an alternative fuel or raw material” and would be considered a modification under NSPS subpart Kc. Specifically, the EPA proposed that a modification occurs when a “storage vessel is used to store VOL that has a greater maximum true vapor pressure than the VOL previously stored.”

We are finalizing modification provisions similar to those proposed, but we are clarifying that a modification occurs when a “. . . storage vessel is used to store VOL that has a greater maximum true vapor pressure than *all VOL historically stored or permitted.*” Commenters were concerned that our proposed language, which referred to VOL “*previously stored,*” was ambiguous and potentially limited the modification assessment to the most recently stored VOL. We revised the text to “. . . historically stored or permitted . . . ,” in order to clarify our intent that a modification occurs when a new VOL is stored that has a higher MTVP than any of the previously stored or permitted VOL (and not just the most recently stored VOL). Finally, we are also clearly stating, consistent with our discussion in section III.G. of the proposal preamble, that the alternative fuel or raw material exemption in 40 CFR 60.14(e)(4) does not apply to storage vessels under NSPS subpart Kc.

Comment: Several commenters stated that the language “the VOL previously stored” in 40 CFR 60.110c(e) is unclear as to whether any VOL the storage vessel has previously stored is included, or just the VOL stored immediately prior to the change. The proposed 40 CFR 60.110c(e) language does not clarify which liquids are different, or not different, from “the VOL previously stored.” Without clarity on these points, the rule language is subject to a significant range of interpretations, from any stored organic liquid being the same VOL, to any de minimis change in liquid properties being a different VOL. Another commenter stated that the phrase “the VOL previously stored” should be removed from 40 CFR 60.110c(e).

Several commenters requested that storing a VOL with a higher MTVP than the liquid previously stored only be considered a modification if storing such a liquid would require modification of a facility’s operating permit. One commenter further stated that using a facility’s operating permit to determine modification would place an unreasonable burden of proof on facility owners or operators. Another commenter stated that storage vessels are permitted to handle multiple materials, typically using a worst-case scenario, and changing the liquid stored in the storage vessel to one above the permitted vapor pressure threshold would not necessarily increase emissions since emissions are based on other parameters and conditions, such as changing the hourly pumping rate, annual throughput, or storage temperature.

Two commenters noted that storage vessels routinely switch between storing materials with lower and higher vapor pressures at certain facilities, such as batch chemical plants, refineries, and gasoline terminals (for example, annual transitions between summer and winter gasoline). According to the commenters, such routine and other operational transitions between products do not rise to the level of a “modification” triggering performance standards for new sources under the CAA.

Response: We agree with the commenters that the proposed language (“the VOL previously stored”) could be misinterpreted to refer only to the VOL stored immediately prior to the change, and that was not our intent. For example, if a storage vessel has been used to store both summer and winter grades of gasoline, we did not intend that the next switch from summer to winter gasoline would trigger a modification of the storage vessel. We also agree that owners and operators should not trigger modification for introducing VOLs that do not exceed the MTVP of all VOLs that may also exist in a permit. We are clarifying the regulatory language to match our intent at proposal and reduce burden by replacing the phrase “the VOL previously stored” with the phrase “all VOL historically stored or permitted.” In discussions with industry representatives and the EPA permit specialists, we found that specific VOLs are not always listed in permits. Therefore, we are not including revisions suggested by some commenters to limit modification to only those actions that would require modification of a facility’s operating permit.

We disagree with the commenters who suggested that changing the volatility of the liquids stored does not increase emissions from the storage vessel. We note that the emission rate for modification is expressed in kilograms per hour (kg/hr) and that it is not evaluated on an annual basis. Even if the facility intends to lower the fill rate to limit increases in annual emissions, the storage vessel will still have higher emissions (in kg/hr) during periods when the storage vessel is not being filled.

Comment: Several commenters disagreed with the EPA’s proposal that a change in the liquid stored in the storage vessel to a VOL with a higher MTVP does not constitute a “use of an alternative fuel or raw material” and thus would instead be considered a change in the method of operation of a source. According to the commenters, the stored materials are fuels or raw

materials for some customer or downstream user, and there is no requirement for a material to be used at the facility where it is being stored for it to be considered a raw material or a fuel. According to one commenter, the EPA had determined that changing a liquid, regardless of volatility, is not an operational change, and another commenter stated that storage vessel service changes are the kind of event that the EPA intended to address in 40 CFR 60.14(e)(4). Other commenters recommended that the EPA retain its long-held interpretation that a change of liquids in an existing VOL storage vessel does not constitute a “modification” triggering applicability of NSPS subpart Kc. Commenters also noted that the proposed interpretation would arbitrarily apply NSPS subpart Kc to some storage vessels, and not to other identical vessels, based on their historic use rather than their design capabilities.

One commenter stated that changing a liquid in a storage vessel is not a modification if the material could have been previously accommodated without a physical change or a capital expenditure. Some commenters requested that the EPA revise proposed 40 CFR 60.110c(e) to clearly state that changing the material stored is not a modification if the storage vessel could accommodate the new material without a physical change or significant capital expenditure. Commenters requested that the EPA review historical documents related to NSPS subpart Kb and reconfirm these long-held policies regarding modification of storage vessels.

One commenter stated that the EPA’s reference to *FCC v. Fox Television Stations, Inc.* for the proposition that it need only articulate a “good reason” for its “change in policy” is misplaced. According to the commenter, the EPA is not proposing to amend any of its existing regulations setting forth its policy for NSPS triggering “modifications.” Rather, the proposal reflects a reversal of the EPA’s longstanding interpretation of the CAA and its regulations in 40 CFR 60.2 and 60.14. Unlike a change in policy, the commenter contends, “an agency’s interpretation of a statute or regulation that conflicts with a prior interpretation is entitled to considerably less deference than a consistently held agency view.” *Advanced Energy United, Inc. v. FERC* (82 F.4th 1095, 1114 (D.C. Cir. 2023)) (quoting *Thomas Jefferson University v. Shalala*, 512 U.S. 504 (1994)). Accordingly, it is the EPA’s long-held interpretation of “modifications”—for nearly 40 years—that is entitled to deference. The commenter asserts that

this is particularly true where, as here, the EPA has not provided a justification for the conflicting interpretation or articulated the scope of changes in volatility of stored liquids that would actually trigger a “modification.”

Response: The EPA disagrees with these comments. First, the EPA’s reliance on *FCC v. Fox*, 556 U.S. 502 (2009), the controlling case on changes in agency policy, is appropriate here. The quote that commenters cite above, asserting that an agency’s statutory interpretation which conflicts with a prior interpretation is “entitled to considerably less deference than a consistently held view,” is from *Thomas Jefferson University v. Shalala*, 512 U.S. 504 (1994), a 1994 Supreme Court case whose precedent on changes in agency policy was displaced by *FCC v. Fox*, in 2009, 556 U.S. 502. Under *FCC v. Fox*, “it suffices that the new policy is permissible under the statute, that there are good reasons for it, and that the agency believes it to be better, which the conscious change of course adequately indicates.” *Id.* at 515.

According to the commenters, anything stored in a storage vessel should be considered an alternative fuel or raw material and therefore any change in the liquid stored should be exempt from being considered a modification. We find in this final rule that this interpretation of the alternative fuel or raw material exemption as applied to storage vessels is inappropriate and often excludes changes in the stored VOL that increase emissions and that therefore should trigger additional control requirements. The EPA explained its rationale for including additional modification provisions in section III.G. of the proposal preamble (88 FR 68543; October 4, 2023). The EPA explained that for purposes of NSPS subpart Kc, a change in the liquid stored in the storage vessel to an organic liquid with a greater MTVP does not constitute a “use of an alternative fuel or raw material” and would be considered a change in the method of operation of the storage vessel. The primary function of this affected facility is the storage of materials. The VOLs stored in the storage vessel are neither raw material nor fuel inputs to a process at the affected facility itself. Furthermore, even had the EPA not revisited its interpretation regarding the application of 40 CFR 60.14(e)(4), we maintain that changing the VOL stored to one with a higher MTVP is a modification (a change in the method of operation that results in an increase in the emissions rate). The NSPS subpart Kc modification provisions result in meaningful

emission reductions. For these reasons, the final rulemaking appropriately supersedes the general provisions. As such, the EPA is finalizing modification provisions such that a change in the liquid stored, which results in increased VOC emissions, would be a modification under NSPS subpart Kc and is clarifying in 40 CFR 60.110c(e) that, for the purposes of this source category, the exemption at 40 CFR 60.14(e)(4) does not apply.

The precedent of MTVP dependent standards of performance for VOL storage vessels was established as part of NSPS subpart K and has informed the establishment of standards for subsequent rulemakings under NSPS subparts Ka and Kb. Under these standards, a VOL’s MTVP (along with a vessel’s capacity) has served as a primary mechanism for determining suitable standards for control. The amended modification provisions will provide meaningful emission reductions from storage vessels that would otherwise go unregulated despite satisfying the statutory criteria for a modification under CAA section 111(a)(4), as explained in this section and at III.G. of the proposal preamble (88 FR 68543; October 4, 2023). The modification provision, as amended, effectively curtails a previously existing loophole which had allowed owners and operators to circumvent the standards in NSPS subpart Kb. For example, prior to this rulemaking, an uncontrolled fixed roof vessel could be constructed and be exempt from NSPS subpart Kb standards because it was storing a low vapor pressure VOL. The vessel could then change operation to introduce a new material with a higher vapor pressure that would otherwise be subject to the NSPS had it been stored in the tank at the time of construction, but the owner or operator could continue to operate without meeting the floating roof or closed vent system and control device standards even if the vessel was constructed after the Kb applicability date. Similarly, if an owner or operator built floating roof tanks for VOLs with less than 11.1 psia and later replaced the liquid stored with a liquid with a vapor pressure greater than 11.1 psia, they could thereby circumvent the closed vent system and control device requirements under 40 CFR 60.112b which are directly dependent on the MTVP of the stored VOL and which would otherwise apply. As such, the prior NSPS provided significant leeway for owners and operators to circumvent the regulations intended to control storage vessel emissions. To address this concern, the EPA is finalizing

modification provisions such that the MTVP can be used as an indicator to determine that a change in the liquid stored, which results in increased VOC emissions, would be a modification under NSPS subpart Kc.

The EPA’s decision to consider a change in the liquid historically stored or permitted to one with a higher vapor pressure to be a modification is consistent with both the statutory and regulatory definitions of those terms. CAA section 111(a) defines modification to mean, “any physical change in, or change in the method of operation of, a stationary source which increases the amount of any air pollutant emitted by such source or which results in the emission of any air pollutant not previously emitted.” Similarly, the General Provisions to 40 CFR part 60 define modification at 40 CFR 60.2 to mean, “any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.” And 40 CFR 60.14 provides a more detailed framework for evaluating modifications, which similarly states at paragraph (a) that: “Except as provided under paragraphs (e) and (f) of this section, any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act.” Thus, the CAA and general provisions for 40 CFR part 60 all rely on the same basic two-step process: (1) a physical change in, or change in the method of operation of, a stationary source; and (2) a resulting increase in emissions. Notably, it is not necessary for there to be a physical change at the source in the first step if there is a change in the method of operation. One or the other will suffice. We address each of these criteria in turn.

First, as proposed, the EPA has determined that a change in the liquid stored in a storage vessel constitutes a change in the method of operation of a storage vessel. The primary function of this affected facility is the storage of materials, and so the only logical “change in the method of operation” that a storage vessel would undergo is a change in the material stored. In other words, whenever a storage vessel changes the VOL that is stored, that is a change in that facility’s method of operation. The EPA’s interpretation

regarding what constitutes a change in the “method of operation” for storage vessels has not changed with this rulemaking. In explaining the applicability of modification under the CAA, in the NSPS subpart Kb preamble, the EPA affirmed, “Few, if any, changes in the physical configuration of the storage vessels that would increase emissions are anticipated. An operational change that would increase emissions is a changing of the stored liquid from a VOC non-emitting liquid to a VOC emitting liquid” (49 FR 29707; July 23, 1984). Thus, the EPA has long considered the changing of the stored liquid to meet the statutory requirements for an operational change. Second, the changing of the stored liquid can lead to an increase of emissions whenever the MTVP of the new liquid is greater than the previously stored liquid. Thus, both statutory criteria for identifying a modification are met.

The EPA agrees that we have historically applied the regulatory exemption under 60.14(e) for “use of an alternative fuel or raw material” to storage vessels. In making our decision regarding modifications, we reviewed several documents⁷ and questioned both industry and enforcement personnel to better understand what changes are currently considered modifications. In the NSPS subpart Kb preamble, the EPA explained, “Section 60.14(e) of the General Provisions to Part 60 lists several changes that are not considered modifications. Among these is the use of raw material, if prior to the date of proposal of the standard, the existing facility was designed to accommodate that alternative use” (49 FR 29707; July 23, 1984). However, the EPA did not provide any further explanation at that time as to why the Agency believed this exemption applied to this affected facility, and the Agency has reconsidered the application of that exemption for purposes of NSPS subpart Kc. As explained in section III.G. of the proposal preamble, when the affected source is a storage vessel and not a process unit, we no longer consider a change in the liquid stored in the storage vessel (to an organic liquid with a higher MTVP) to qualify as a “use of an alternative fuel or raw material.” As discussed above, the primary function of an affected facility in this source category is the storage of materials, and the VOL stored in the vessel are neither

raw material nor alternative fuel inputs to a process at the facility itself. While the storage vessel may store liquids that are used as an alternative fuel or raw material used for inputs to a process for another facility, it is not reasonable to extend application of the exemption to mere storage of the alternative fuel or raw material. Accordingly, we no longer believe that the exemption should be applied to these factual circumstances by the terms of the regulation.

The EPA notes that, the fact that 40 CFR 60.14(e) is framed as *exempting* certain activities from the definition of modification indicates that, absent these exemptions, the EPA would consider the exempted activity to meet the statutory definition of modification in CAA section 111(a)(4). In other words, the EPA created a specific provision exempting the “use of an alternative fuel or raw material” from the regulatory definition of modification because this activity would, as the EPA proposed, typically be considered an operational change,⁸ a consideration reinforced by the EPA’s discussion on modification in the NSPS subpart Kb preamble. In this rulemaking, the EPA confirms that it does not consider a change in the liquid stored to one with a higher MTVP to qualify under this exemption. Moreover, irrespective of this determination, the EPA is also finalizing in this rulemaking that the exemption in 40 CFR 60.14(e)(4) regarding alternative fuel or raw material does not apply to storage vessels.

While we have determined for purposes of NSPS subpart Kc that a change in the liquid stored to a liquid with a higher vapor pressure does not constitute the “use of an alternative fuel or raw material,” we note that even if this exemption would otherwise apply by its terms, this rulemaking supersedes the exemption pursuant to 40 CFR 60.14(f), because, as explained earlier, we have concluded that it is the better policy and consistent with the statutory definition of modification based on the facts of how this affected facility operates. The EPA has always maintained that there are some sources for which the basic exemptions from the standard definition of a modification may not be appropriate, and 40 CFR

60.14(f) was included in the general provisions to afford the EPA the ability to supersede the general modification regulations, the exemption provisions in 40 CFR 60.14(e), for those sources for which these provisions should not reasonably be applied. The EPA has previously applied specialized interpretations of modification for other source categories. For example, in NSPS subpart Ja, we included special provisions for the modification of flares at petroleum refineries because the basic considerations under 40 CFR 60.14(e), were generally developed considering process unit emission sources. The intermittent operation of a flare makes it difficult to use the criteria of 40 CFR 60.14(e) to determine when a flare is modified (73 FR 35843; June 24, 2008). In our review of NSPS subpart Kb, we identified similar short-comings regarding the “process unit-oriented” modification exemptions as previously applied to storage vessels. The specialized modification provision for storage vessels is consistent with the CAA statutory requirements, the general definition of modification outlined in 40 CFR 60.2 and 60.14, and previous determinations that source-specific modification provisions are justified for certain source categories. Accordingly, in this rulemaking, the EPA confirms that it does not consider a change in the liquid stored to one with a higher MTVP to qualify under the exemption in 40 CFR 60.14(e)(4), and, as a matter of clarity, irrespective of this determination, this rulemaking is superseding the exemption.

With respect to the comment that the proposed definition of modification would arbitrarily apply differently for identical vessels based on their historic use rather than their design capabilities, we disagree. As stated above, the modification provisions are directly dependent on the MTVP of the stored VOL. The precedent of MTVP dependent standards of performance for VOL storage vessels was established as part of NSPS subpart K and has informed the establishment of standards for subsequent rulemakings under NSPS subparts Ka and Kb. We are finalizing that storing a VOL with a greater MTVP than historically stored or permitted is a modification. We determined the BSE and set standards of performance considering existing emission controls of modified storage vessels.

The EPA also disagrees with the comment advocating a requirement for capital expenditure to determine whether there is a modification and that a capital expenditure clause should be added to the language proposed at 40 CFR 110c(e). First, we note that the

⁷ See, e.g., U.S. EPA Applicability Determination Index, Control Number: 0400015, (referencing 40 CFR 60.14(e)(4)–(5)) and NSPS subpart Kb Background Information Document (Docket ID No. EPA-HQ-OAR-2023-0358-0012).

⁸ This is bolstered when considering the other exemptions in 40 CFR 60.14(e): a “replacement” referred to in (e)(1) and the addition of a system or device referred to in (e)(5) is a physical change to a facility, and an increase in production rate or an increase in hours of operation referred to in (e)(2) or (3) is a change in the facility’s operation. However, the EPA had a rational basis for exempting these particular physical or operational changes, as a general matter, from the broader definition of modification under the regulations.

statute at CAA section 111(a)(4) contains no such requirement and the general provisions at 40 CFR 60.14(e)(2) only consider whether a capital expenditure is needed when considering an exemption from the definition of modification tied to increase in production at the facility. Critically, neither the statute nor the general provisions provide that the determination of whether a modification has occurred must be based on a capital expenditure. Thus, the commenters seek to impose an additional requirement that is not plainly necessary under the statute nor anticipated, either by Congress or by the EPA, without an explanation as to why that would be justified for this source category. In many cases, a capital expenditure is not needed to change the liquid stored in a fixed roof tank. Under the commenter's proposed capital expenditure paradigm, an operator of a fixed roof tank used to store a low volatility fluid could change to a higher vapor pressure fluid and argue that no modification occurred even though the storage vessel has changed its method of operation. This would permit the resulting emissions increases without the requisite control that the statute would otherwise anticipate under such circumstances. It is more consistent with the statutory standard to consider the change in the liquid stored or permitted as a change in the method of operation and then assess whether an increase in the vapor pressure of the liquid stored triggers the need for controls (which would require a capital expenditure). We found the controls required under proposed NSPS subpart Kc are cost effective and meet the BSER criteria, and we see no reason to allow uncontrolled modified storage vessels or less stringent controls simply because the tank was initially permitted for or stored a less volatile liquid.

4. Control Standards for IFRs and EFRs

The EPA proposed standards of performance that reflect the BSER for IFRs as well as alternative compliance standards for controlled storage vessel EFRs. The EPA proposed a work practice standard that would require new IFR storage vessels be constructed with either a liquid-mounted or a mechanical shoe primary seal, a rim-mounted secondary seal, and fittings on the floating roof that meet certain control requirements (e.g., gasketed covers, specific guidepole control configurations) mostly consistent with the requirements of fitting controls in NSPS subpart Kb. The EPA also proposed that new EFR storage vessels be constructed with either a liquid-mounted or a mechanical shoe primary

seal, a rim-mounted secondary seal, welded deck seams, and fittings on the floating roof that meet certain control requirements (e.g., gasketed covers, specific guidepole control configurations). Except for the guidepole controls, the fitting controls are mostly consistent with the requirements of fitting controls in NSPS subpart Kb.

We are finalizing the control requirements for IFRs and EFRs as proposed with minor editorial revisions (such as replacing "roof leg supports" with "roof supports," replacing "bolted" with "bolted or otherwise mechanically secured," and using consistent language regarding requirements for vacuum breaker/automatic bleeder vents). For EFRs, we are also adding provisions for emergency roof drains to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening. As noted by commenters, this provision is included in NSPS subpart Kb and the IFR drain requirements were inadvertently copied for EFRs in the proposed rule for NSPS subpart Kc.

Comment: One commenter stated the proposed NSPS subpart Kc language refers to the floating roof being supported by legs when the floating roof is landed, but a common design for IFRs involves suspending the IFR from the fixed roof of the tank via cables. The commenter stated that proposed language at 40 CFR 60.112c(b)(1) and (4) should be revised to accommodate the cable-suspended design alternative. Similarly, a commenter recommended the EPA revise the definition of the term "Vacuum breaker/Automatic bleeder vent" to avoid restricting vacuum breakers to the leg-actuated type. Another commenter noted that since leg operated vacuum breakers must contact the floor prior to the roof support legs, the EPA should consider setting a maximum opening distance or clarify that the roof is considered landed when the vacuum breaker leg lands. One commenter noted that 40 CFR 60.112c(b)(1) reads ". . . and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled" whereas 40 CFR 60.112c(c)(1) reads: ". . . and when the storage vessel is completely emptied and subsequently refilled." The commenter suggested that the requirements for EFRs in 40 CFR 60.112c(c)(1) be revised to be consistent with 40 CFR 60.112c(b)(1).

Response: We agree with the commenters that the language regarding roof legs and vacuum breaker/automatic bleeder vents should be generalized to

allow roof supports other than roof legs and vacuum actuators other than leg actuated devices and that consistent language should be used for EFRs. While we understand cable suspended roofs are specific to IFRs, we generalized the language for EFRs in the event different supports are developed for EFRs and to make the language consistent between 40 CFR 60.112c(b) and (c). We also revised the use of the term "vacuum breaker" by replacing it with "vacuum breaker/automatic bleeder vent" because that is the defined term for these devices on a floating roof and to distinguish these from vacuum breaking devices on a fixed roof. We are also adding a sentence to the roof landing monitoring requirements at 40 CFR 60.113c(a)(5) and (b)(8) to clarify that the roof is considered landed when the floating roof first rests on supports or when the vacuum breaker/automatic bleeder vent begins to open, whichever is first. This clarifies that the landing alarm must be set at the height the leg-actuated vacuum breaker/automatic bleeder vent begins to open the vent, which will be prior to the floating roof resting on the roof supports.

Comment: One commenter stated that the proposed NSPS subpart Kc does not address the emergency roof drains that are utilized with certain EFRs. The commenter noted that NSPS subpart Kc specifies that "stub drains" are not required to be covered at all, which could be understood as exempting EFR emergency roof drains from control. The commenter recommended that the EPA clarify, consistent with NSPS subpart Kb at 40 CFR 60.112(b)(2)(ii), that each emergency roof drain is to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

Response: We agree with the commenter that we inadvertently used the language allowing uncontrolled stub drains for IFRs in the proposed EFR requirements. We had intended to maintain consistency with the EFR drain requirements in NSPS subpart Kb. We agree with the commenter that the reference to stub drains for EFRs is not appropriate as stub drains are not used for EFRs. In the final rule, we are including the requirements to use a slotted membrane fabric cover that covers at least 90 percent of the area of the opening at 40 CFR 60.112c(c)(2)(viii) consistent with the requirements for EFR drains in NSPS subpart Kb, as suggested by the commenter.

5. Control Standards for Closed Vent Systems Routed to a Control Device, Fuel Gas System, or Process

For storage vessels with closed vent systems routed to a control device, fuel gas system, or process, the EPA proposed certain design requirements for the storage vessel to prevent pressure releases from the storage vessel and proposed that control devices must meet 98 percent or greater emission reduction efficiency. The EPA proposed that non-flare thermal combustion devices must conduct performance tests initially and at least once every 60 months, in which they establish a temperature operating limit to which they must comply at all times. For flares, the EPA proposed that flares must meet the operating and monitoring requirements consistent with the requirements in the Refinery NESHAP (40 CFR 63.670 and 63.671). We are finalizing requirements for closed vent systems routed to a control device, fuel gas system, or process with some revisions from proposal for reasons noted in the following comments and responses.

First, we are revising the vacuum pressure at which vacuum breaking devices must close from -0.1 pounds per square inch gauge (psig) to -0.1 inches of water (-0.0036 psig) to better reflect common storage vessel design requirements. We are also clarifying the language since a higher vacuum setting would be a lower absolute pressure and the proposed language was potentially ambiguous. The revised provision clarifies that any vacuum breaking device on the storage vessel must close while the storage vessel is still under vacuum of at least -0.1 inches of water (-0.0036 psig or -0.025 kPa gauge). We proposed that storage vessels that are vented to a closed vent system must be designed to operate at elevated pressures (1 psig above MTVP plus any back pressure from the control device) without venting to the atmosphere. We are retaining this as an option but are adding an option to design and operate the recovery system to prevent venting from the storage vessel. In either case, we are retaining requirements consistent with those proposed that monitoring systems must be installed to detect pressure releases from each pressure relief device (PRD) or vacuum breaking device on a storage vessel and each PRD on the closed vent system. For owner and operators electing to design the storage vessel and closed vent system to operate at elevated pressures, we are including provisions that allow the control device to be taken out of service for maintenance provided that the

storage vessels are operated with no emissions to the atmosphere.

We are retaining requirements for control devices to meet 98 percent control efficiencies as proposed. We allow enclosed combustion devices to demonstrate on-going compliance with the 98 percent control efficiency using temperature operating limit, as proposed. However, we are also finalizing an alternative for enclosed combustion devices, if elected, to comply with the flare operating limits, consistent with recent provisions provided for gasoline distribution facilities (40 CFR part 60, subpart XXa and 40 CFR part 63, subparts R and BBBBBB). Lastly, we are amending the requirements for open-ended lines to align with provisions more closely under the Miscellaneous Organic Chemical Manufacturing NESHAP (MON).

Comment: Two commenters suggested that the pressure constraints on design operating pressure and vacuum breaking devices are not technically feasible and could result in significant damage or failures of the storage vessels, stating that a gauge pressure higher than the designed pressure of the storage vessel or a vacuum greater than the design requirements could result in catastrophic failure of the storage vessel. The commenters noted that the proposed requirements conflict with American Petroleum Institute (API) Codes 650 and 2000. The commenters recommended the EPA delete the specific pressure requirements proposed and replace with general language that atmospheric vents should be designed to remain closed during normal operation.

Response: In the proposal, we intended to require the use of low-pressure storage vessels rather than atmospheric storage vessels so that the storage vessels would be built to withstand higher pressures. However, we recognize that this may be a more significant retrofit for modified storage vessels with gas collection systems designed to operate at lower pressures such that the pressure in the storage vessels can remain near atmospheric pressure. However, if the vapor recovery compressor or fan fails or is shut down for any reason, then the storage vessel would vent rather than being able to withstand the buildup of pressure as the headspace in the storage vessel reaches saturation without venting to the atmosphere like a low-pressure storage vessel would. We are maintaining the positive pressure requirements as one compliance option, but we are also finalizing an option for facilities to design and operate a vapor recovery

system in a manner to prevent atmospheric releases from the storage vessel. As proposed, any pressure release from the storage vessel is a deviation of the storage vessel and closed vent system requirements. We are finalizing monitoring system requirements for the pressure relief devices and vacuum breaking devices to identify these deviations.

With respect to the vacuum requirements, we reviewed the API 650 standards applicable to low-pressure storage vessels and found in section 5.10.5.2 that these storage vessels “. . . may be safely subjected to a partial vacuum in the gas or vapor space not exceeding 1 ounce per square inch with the operating liquid level in the tank at any stage from full to empty.” One ounce per square inch is equivalent to 0.0625 psi or 2 inches of water, so we agree that the vacuum requirement proposed is beyond standard design requirements for low-pressure storage vessels. We also confirmed that the API 650 standard indicates that the maximum vacuum for atmospheric storage vessels (without needing additional design considerations) is -0.25 kPa (or -1 inch of water or -0.036 psig). In our proposal, we wanted to ensure that the vacuum vent is closed while there is still a slight vacuum in the storage vessel, to prevent venting to the atmosphere from the vacuum breaking device as the pressure in the storage vessel increases. In reviewing the storage vessel specifications, we determined that the value we proposed was higher than needed to achieve this objective. The vacuum breaking devices must open before the maximum vacuum pressure is reached, so typical opening pressures are 0.5 inches of water pressure. Therefore, we are finalizing that the vacuum breaking device must close while the storage vessel is still under vacuum of at least -0.1 inches of water (-0.0036 psig or -0.025 kPa gauge) and are finalizing that a pressure release (deviation) occurs when the vessel reaches atmospheric pressure and the vacuum breaking device remains open. We are providing separate paragraphs for the monitoring requirements for PRDs between storage vessels and closed vent systems and adding monitoring requirements for the vacuum breaking devices on the storage vessels. Otherwise, the separate pressure release monitoring requirements we are finalizing in 40 CFR 60.112c(d)(1)(iii) and (d)(2)(iii) are the same as proposed for “each pressure relief device on a storage vessel or in a closed vent system,” in 40 CFR 60.112c(d)(2)(iii).

Comment: One commenter recommended that the EPA add a 240-hour planned routine maintenance provision for storage vessels equipped with a closed vent system routed to a control device to NSPS subparts Kb and Kc similar to the language in the part 63 NESHAP regulations such as the MON and Organic Liquids Distribution (non-gasoline) NESHAP. According to the commenter, if the EPA decides to retain the language in 40 CFR 60.110c(g) removing the SSM provisions, it is reasonable for the EPA to include a separate 240-hour planned routine maintenance provision for control devices in NSPS subpart Kc similar to the language in the MON (40 CFR 63.2470(d)) and the associated recordkeeping and reporting requirement similar to the language in 40 CFR 63.998(d)(2) and 63.999(c)(4).

Response: We disagree that we should provide 240 hours for uncontrolled emissions when using an add-on control device. Similar provisions are not needed or appropriate for IFRs, which were determined to be the BSER for storage vessels storing VOLs with an MTVP less than 11.1 psia. We maintain that a 98 percent control requirement at all times is necessary for add-on control devices to achieve emission reductions equivalent to those for IFRs. Even for storage vessels storing VOLs with an MTVP of 11.1 psia or higher, we maintain that a 98 percent control requirement is the BSER, and that level of control cannot be achieved if we allow 240 hours of uncontrolled emissions. Nonetheless, if the storage vessel is designed to be able to operate at pressures above the MTVP consistent with the storage vessel design pressure requirements proposed (and being finalized as one compliance option), then the control device can be isolated from the storage vessel, and the closed vent system and the storage vessel can remain in service without venting to the atmosphere provided that the storage vessel is not filled to the extent that the pressure limits of the pressure relief valves on the storage vessel and closed vent system are exceeded and there is a pressure release. If there is no pressure release from the storage vessel during the planned maintenance activity, we agree that planned maintenance can be allowed. Therefore, we are including provisions at 40 CFR 60.112c(d)(7) to allow owners or operators to conduct planned maintenance on control devices while storage vessel affected facilities are still storing VOL under specific circumstances. Specifically, the storage vessel(s) storing VOL must be designed to operate above the MTVP of the stored

VOL according to the requirements in 40 CFR 60.112c(d)(1)(i) and must comply with the pressure release monitoring, recordkeeping, and reporting requirements. Eliminating pressure releases during the maintenance periods may require operators to limit VOL addition to the storage vessel (such as only adding VOL when there is also corresponding withdrawal of VOL from the storage vessel), but the operator is expected to operate the storage vessel without a pressure release or atmospheric venting during the maintenance period.

Comment: One commenter stated that the EPA should define “vapor combustion unit” separately from “incinerator” and apply appropriate monitoring provisions to vapor combustion units (VCUs) to avoid subjecting VCUs to inappropriate requirements. The commenter stated that the EPA should allow VCUs to elect to meet the proposed flare provisions, as was provided in the Gasoline Distribution rules.

Response: In general, we agree with the commenter. We note that we had proposed specific requirements for “enclosed combustion devices” so we elected to define that term. We recognize that some enclosed combustion devices may operate more like a flare than like an incinerator (no direct combustion chamber and no means to control the amount of air entering the device). In similar situations in other rules (gasoline distribution rules at 40 CFR part 60, subpart XXa, and 40 CFR part 63, subparts R and BBBB, and the oil and gas rule at 40 CFR part 60, subparts OOOOb and OOOOc), we have allowed the enclosed combustion devices to comply with the flare operating limits rather than with the temperature operating limit. As such, we agree with the commenter’s suggestion to allow enclosed combustion devices to comply with the flare operating limits. We have added a definition of both “enclosed combustion device” and “flare” to help distinguish between these devices (enclosed combustion devices emit pollutants through a conveyance suitable to conduct a performance test, and flares have open or shrouded flames and do not emit pollutants through a conveyance suitable to conduct a performance test). We note that the implementation of this provision led to revision of several paragraphs related to control device operating limits and monitoring, recordkeeping, and reporting requirements to allow “enclosed combustion devices electing to comply with § 60.112c(d)(5)” to be treated differently than other non-flare

combustion devices. We are retaining the requirement for enclosed combustion devices to conduct a performance test to demonstrate that the enclosed combustion device is achieving a 98 percent VOC emission reduction regardless of whether the enclosed combustion device is complying with the flare operating limits in 40 CFR 60.112c(d)(5) or the temperature operating limits in 40 CFR 60.113c(c)(1)(ii)(E).

Comment: One commenter stated that the EPA should clarify in the final NSPS subpart Kc rule, in the closed vent system and bypass line provisions, that open-ended valves or lines that use a cap, blind flange, plug, or second valve are not considered to be bypass lines. According to the commenter, the EPA should add the text that is in 40 CFR 63.2450(e)(6)(v)(B) of the MON rule to 40 CFR 60.112c(d)(2)(ii) to clearly exempt these open-ended valves or lines from the bypass requirements.

Response: We agree with the recommendations to align NSPS subpart Kc more closely with the provisions in the MON regarding open-ended valves or lines that use a cap, blind flange, plug, or second valve, and have revised to 40 CFR 60.112c(d)(2)(ii) accordingly.

6. Control Standards for Degassing

Based on the analysis presented at proposal, the EPA proposed emptying and degassing standards in accordance with the BSER applicable to: (1) storage vessels equipped with a closed vent system routed to a control device, fuel gas system, or process; and (2) IFR and EFR storage vessels that have a capacity of greater than or equal to 1 million gallons storing a VOL with an MTVP greater than or equal to 1.5 psia. These vessels must meet certain requirements while the vapors in the storage vessel are at or above 10 percent of the LEL. The proposed standards of performance for degassing emissions reflect a 98 percent VOC reduction efficiency.

Regarding degassing controls, we are finalizing these provisions with minor revisions to what was proposed. We are finalizing standards for storage vessels subject to controlling degassing emissions as proposed. We are finalizing a requirement that controls must be used until the vapor space concentration is less than 10 percent of the LEL, as proposed, but we are also finalizing provisions for nonflammable liquids to comply with a 5,000 ppmv as methane concentration level based on comments received, because 5,000 ppmv is equal to 10 percent LEL if the vapors were methane. We are finalizing that the degassing emissions that must be controlled must be vented to control

device that achieves a 98 weight percent VOC reduction or greater as proposed. We are finalizing additional provisions to check LEL instrument calibration and instrumental offset response each day the instrument is used and prior to discontinuing controlled degassing consistent with LEL measurement requirements for IFR monitoring to ensure the accuracy of the instrument readings. We are also finalizing provisions that allow the introduction of chemicals or diluents for the purpose of reducing vapor concentration before or during active degassing, after considering comments received.

Comment: Two commenters stated that the EPA should incorporate a concentration limit for the storage vessel degassing emissions in 40 CFR 60.112c(e) since nonflammable chemicals do not exhibit an LEL. The commenter requested that the EPA include a concentration limit of less than 5,000 ppmv as methane as an alternative to the LEL requirement, consistent with the National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry proposal.

Response: We expect that most VOLs with an MTVP above 1.5 psia will have some flammability, but we agree that a concentration limit of 5,000 ppmv as methane for nonflammable liquids is appropriate because 5,000 ppmv is the 10 percent LEL of methane and it generally provides a concentration value that is similar to or lower than the 10 percent LEL level for heavier organics. For example, 10 percent LEL of butane is as stringent as or more stringent than 1,900 ppmv as butane or about 7,600 ppmv as methane.

Comment: One commenter noted that some companies flood the bottom of the tank with a low vapor pressure material to facilitate removal of residual sludges and/or to reduce the concentration of vapors in the vapor space of the tank prior to or during active degassing. According to the commenter, while the proposed rule language does not prohibit bottom flushing, this practice should be expressly accommodated in the rule language.

Response: We agree that flooding the bottom of the tank with a low vapor pressure material is a reasonable control measure for degassing. As such, we are revising 40 CFR 60.112c(e)(1) to expressly allow the addition of chemical or a diluent for the purpose of reducing vapor concentration before or during active degassing.

7. Alternative Means of Emission Limitation

We are finalizing the alternative means of emissions limitation (AMEL) provisions as proposed except for the addition of two clarifications. First, at 40 CFR 60.114c(a), we are replacing “any” with “the applicable” when referencing requirements in 40 CFR 60.112c, to clarify that the equivalency must be made for the same type of control system (IFR, EFR, or closed vent system routed to a control device, fuel gas system, or process). This clarification prevents operators that are using an IFR from reducing the fitting control requirements finalized for an IFR because, for that size of storage vessel and stored VOL, the required IFR controls achieve greater than a 98 percent reduction or greater reduction than an EFR meeting the final EFR requirements. Second, we are clarifying that the written application to the Administrator in 40 CFR 60.114c(c) may include either actual emissions test results or an engineering evaluation that the Administrator determines to be accurate, but it does not necessarily have to include both.

Comment: One commenter noted the proposed NSPS subpart Kc provides for requesting an AMEL at 40 CFR 60.114c and this section specifies that a request for approval of an alternative must include an actual emissions test; however, there are numerous alternative control measures that have already been tested and for which the EPA has published emission factors in AP-42. The commenter stated that the EPA should not arbitrarily require repeated testing for those control measures that have already been tested and for which the results have already been accepted by the EPA. The commenter stated that the language in 40 CFR 60.114c should be replaced with the language in NESHAP subpart WW at 40 CFR 63.1064.

Response: We have revised 40 CFR 60.114c(c) such that an AMEL written application must include either an actual emissions test (that covers the appropriate range of meteorological conditions) or an engineering evaluation, which may include use of emission factors as published in the EPA Report No. AP-42, *Compilation of Air Pollutant Emission Factors*. We reviewed the AMEL provision in NESHAP subpart WW. The NESHAP subpart WW provisions include a listing of test methods but do not limit the testing to those methods. As such, we are determining that the language that is included in the final rule is equivalent to the provisions in NESHAP subpart

WW. We also note that the provisions in 40 CFR 63.1064(c) allow the use of different combinations of rim and deck fitting controls “. . . if the alternate emits no more than the combination specified in the § 63.1063.” We interpret this provision to allow comparisons of fitting controls for IFRs to those required specifically for IFRs. While we consider that the three control options we provided are equivalent, we acknowledge that, depending on the size of tank, volatility of the VOL, and prevailing meteorological conditions, one of the control configurations (IFR, EFR, or closed vent system routed to a control device, fuel gas system, or process) will perform better and one configuration will perform worse than the other options allowed. We did not intend to allow changes to the specified control provisions to only require the lowest control efficiency for a given combination of tank size, VOL stored, and meteorological conditions. Therefore, we are also clarifying, consistent with our interpretation of the NESHAP subpart WW provisions, that the AMEL must compare with the “applicable” requirement. That is, for storage vessels with IFRs, you may request an AMEL for a different set of fittings, but you must show equivalency with the IFR requirements specified in 40 CFR 60.112c(b). For storage vessels with EFRs, the AMEL must show equivalency with the EFR requirements specified in 40 CFR 60.112c(c). For storage vessels with a closed vent system routed to a control device, fuel gas system, or process, the AMEL must show equivalency with the control requirements specified in 40 CFR 60.112c(d). With these revisions, we determine that the final AMEL provisions in NSPS subpart Kc are consistent with the AMEL provisions in NESHAP subpart WW.

Since control measures that were determined to be equivalent to NSPS subpart Kb may not be equivalent to controls required under NSPS subpart Kc, a new AMEL application must be submitted following 40 CFR 60.114c(c) in order to demonstrate that an AMEL is equivalent to the requirements in NSPS subpart Kc.

C. NSPS Subpart Kc Without Startup, Shutdown, and Malfunction Exemptions

Consistent with *Sierra Club v. EPA*, 551 F.3d 1019 (D.C. Cir. 2008), the EPA has established standards in this rule that apply at all times. We are finalizing in NSPS subpart Kc specific requirements at 40 CFR 60.110c(g) that override the general provisions for SSM requirements. In finalizing the standards in this rule, the EPA has considered

startup and shutdown periods and, for the reasons explained in this section of the preamble, has not finalized alternate standards for those periods. The EPA has determined that the reasoning in the court's decision in *Sierra Club* applies equally to CAA section 111 because the definition of "emission standard" in CAA section 302(k), and the embedded requirement for continuous standards, also applies to the NSPS.

Periods of startup, normal operations, and shutdown are all predictable and routine aspects of a source's operations. Malfunctions, in contrast, are neither predictable nor routine. Instead, they are, by definition, sudden, infrequent, and not reasonably preventable failures of emissions control, process, or monitoring equipment (40 CFR 60.2). The EPA interprets CAA section 111 as not requiring emissions that occur during periods of malfunction to be factored into development of CAA section 111 standards. Nothing in CAA section 111 or in caselaw requires that the EPA consider malfunctions when determining what standards of performance reflect the degree of emission limitation achievable through "the application of the best system of emission reduction" that the EPA determines is adequately demonstrated. While the EPA accounts for variability in setting emissions standards, nothing in CAA section 111 requires the Agency to consider malfunctions as part of that analysis. The EPA is not required to treat a malfunction in the same manner as the type of variation in performance that occurs during routine operations of a source. A malfunction is a failure of the source to perform in a "normal or usual manner," and no statutory language compels the EPA to consider such events in setting CAA section 111 standards of performance. The EPA's approach to malfunctions in the analogous circumstances (setting "achievable" standards under CAA section 112) has been upheld as reasonable by the D.C. Circuit in *U.S. Sugar Corp. v. EPA*, 830 F.3d 579, 606–610 (2016).

D. Testing, Monitoring, and Inspection Requirements

Because the NSPS reflect the BSER under conditions of proper operation and maintenance, we also, in performing our review, evaluate and determine the proper testing, monitoring, inspection, recordkeeping, and reporting requirements needed to ensure compliance with the emission standards. This section of the preamble includes our discussion of the proposed revisions to testing, monitoring, and inspection requirements, a summary of

the significant comments received, our responses to the comments, and our final determinations regarding testing, monitoring, and inspection requirements. Changes to recordkeeping and reporting requirements are included in the section for recordkeeping and electronic reporting.

Generally, we proposed testing, monitoring, and inspection requirements consistent with those in NSPS subpart Kb and other Federal standards that would provide the best clarity for the specific requirements along with the following enhancements. The EPA proposed annual LEL monitoring as an enhancement to the monitoring and inspection requirements for storage vessels with IFRs. The EPA also proposed equipping floating roof storage vessels with a visual or audible alarm system to monitor when the floating roof approaches specified landing heights. For closed vent systems, the EPA proposed quarterly AVO inspections, annual EPA Method 21 instrument monitoring, and monitoring of bypasses. The EPA also proposed that storage vessels using closed vent systems routed to control devices, fuel gas systems, or processes must equip pressure relief devices with appropriate monitoring to identify releases. For storage vessels with closed vent systems routed to a control device, the EPA proposed that performance tests must be conducted at least once every 60 months rather than rely on a single initial performance test. Finally, the EPA proposed enhanced monitoring requirements for flares consistent with the Refinery NESHAP (40 CFR 63.671).

We are finalizing testing, monitoring, and inspection requirements as proposed except for the revisions outlined here.

- We revised the specification of the timing of these requirements to be "calendar months" rather than just "months," to clarify the timing and allow limited flexibility when scheduling the required testing or inspections.

- For IFRs, we are amending the requirements to conduct internal inspections of the floating roof at least once every 120 calendar months. We are retaining this inspection requirement each time the vessel is emptied and degassed, but we are not requiring storage vessels to be taken out of service specifically to conduct this inspection.

- We are making minor revisions to the LEL monitoring calibration procedures. We proposed language used from the gasoline distribution rule (40 CFR part 63, subpart R), which would require the correction factor to be based on "gasoline vapor." Because NSPS

subpart Kc is applicable to a much broader range of chemicals, we are revising references to "gasoline vapors" to "vapors of the stored VOL." We are retaining the use of butane as the surrogate if correction factors are not available for the vapors of the VOL stored.

- We are adding specific requirements that fittings on EFR must be visually inspected during annual seal gap measurement inspections to ensure that covers are closed and gasketed with no visible gaps and that there are no tears in sleeves, wipers, or similar controls used for a given fitting during annual seal gap measurement inspections. Visual fitting inspections were proposed at 40 CFR 60.113c(b)(7) for inspections conducted when the storage vessel is emptied and degassed but did not specify fitting conditions that would result in an inspection failure, and we are adding these details to clarify the fitting inspection requirements based on comments received.

- For closed vent systems, we are including an additional reference at 40 CFR 60.113c(c)(2) for the quarterly AVO monitoring as required under both the proposed and final requirements at 40 CFR 60.112c(d)(2)(i). We are also revising the provision of 40 CFR 60.113c(c)(3) to clarify that emissions detected using visible, audible, and olfactory methods are leaks triggering corrective action.

- Regarding MTVP test methods, we are clarifying that owners and operators must determine the MTVP of the VOL prior to refilling the storage vessel with a new VOL. The proposed language only referenced "initial filling" and may allow facilities to change VOL without reassessing the MTVP. However, we considered that, when a new VOL is stored, that would be an initial filling of that VOL. The rephrasing of that provision helps to clarify this requirement. Additionally, we are adding a requirement to use a vapor-to-liquid ratio of 4:1 when using American Society for Testing and Materials (ASTM) D6378–22. We proposed this requirement when using ASTM D6377–20 but consider that the same provision should apply to both of the MTVP test methods. The EPA's intention to use a vapor-to-liquid ratio of 4:1 when using ASTM D6378–22 was detailed in the proposal preamble but was erroneously omitted from the proposed rule text.

- Additionally, as noted in section IV.B.5. of this preamble, we are allowing enclosed combustion devices to comply with the monitoring provisions for flares as an alternative to the temperature monitoring requirement.

Comment: One commenter stated that the EPA's proposed monitoring and inspection requirements for floating roof tanks are inadequate and must be strengthened to make it more likely that the tanks can reduce 98 percent of VOCs. According to the commenter, at a minimum, the EPA must require monitoring and inspection in keeping with the current requirements from South Coast Air Quality Management District (SCAQMD) Rule 1178. In addition, the commenter stated that the EPA must make it explicit that, for IFR visual inspections, the entire perimeter of the floating roof seal must be visually evaluated, even if that requires opening multiple manways. The commenter stated that the EPA must also require quarterly forward-looking infrared measurements from tank decks.

Response: In general, we considered that we had incorporated much from the SCAQMD Rule 1178 monitoring provisions in our proposal. We included LEL monitoring provisions for IFR storage vessels and PRD monitoring provisions for storage vessels with closed vent systems routed to a control device, fuel gas system, or process that are reasonably consistent with the monitoring requirements in SCAQMD Rule 1178. However, upon further review of SCAQMD Rule 1178 and our proposed inspection requirements, we noted that the inspection requirements we proposed for EFR storage vessels only covered inspections of the primary and secondary seals. Visual fitting inspections were proposed for IFR inspections and mentioned in the proposed inspections at 40 CFR 60.113c(b)(7) when the storage vessel is emptied and degassed. However, no requirement for fitting inspections were proposed during annual gap measurements, and the inspections proposed at 40 CFR 60.113c(b)(7) did not specify fitting conditions that would result in an inspection failure. After our review of SCAQMD Rule 1178 monitoring and inspection requirements based on this comment, we are adding specific requirements that fittings on EFR must be visually inspected during annual seal gap measurement inspections to ensure that covers are closed and gasketed with no visible gaps and that there are no tears in sleeves, wipers, or similar controls used for a given fitting. We are also adding the conditions under which an inspection failure occurs for the inspections conducted when the EFR storage vessel is emptied and degassed.

We considered optical gas imaging requirements in previous reviews of storage vessels, which we reviewed again for NSPS subpart Kc, and

concluded that these requirements were not cost-effective. Regarding manways, we agree with the commenter's assertion that while performing IFR visual inspections, the entire perimeter of the floating roof seal must be visually evaluated, even if that requires opening multiple manways. We have elected not to add specific rule language, because we believe that having visual access to the entire primary seal, is already a necessary component of annual IFR inspections both in the rule language of NSPS subpart Kc and in the existing rule language of NSPS subpart Kb. As such, except for the specifications for fitting inspections for EFR storage vessels, we are not adding additional monitoring requirements to NSPS subpart Kc.

Comment: Numerous commenters requested that the EPA allow in-service inspections of IFRs either by providing additional language in 40 CFR 60.113c(a)(2) allowing for top-side inspections when there is visual access to all deck components or by incorporating an alternate means of compliance option to comply with NESHAP subpart WW [40 CFR 63.1063(d)(1) and (2)]. The commenters noted that in-service inspections were allowed in NSPS subpart Kb to avoid the costs and emissions associated with emptying and degassing vessels for inspection. If in-service inspections are provided, the commenters noted, rule revisions may also be needed in the notification requirements at 40 CFR 60.116c(b)(1) and the reporting requirements at 40 CFR 60.116c(c)(2)(ii).

Response: We had proposed language consistent with NSPS subpart Kb at 40 CFR 60.113b(a)(4) to require more detailed "out of service" inspections at least once every 10 years. The EPA agrees with the commenter's request to allow for in-service inspections to be performed entirely from the top side of the floating roof. The EPA is incorporating language into 40 CFR 60.113c(a)(2)(ii) to allow for in-service inspections to be performed entirely from the top side of the floating roof, as long as there is visual access to all deck fittings and rim seal systems specified in 40 CFR 60.112c(b). We are also adding repair timelines in 40 CFR 60.112c(b), similar to those already established for the annual visual inspection. We are also specifying that a 30-day notification must be provided for inspections in 40 CFR 60.116c(b)(1). Also, we are deleting the phrase "emptied and degassed and" from 40 CFR 60.116c(c)(2)(iii) to account for the reporting of these in-service inspections.

Comment: One commenter stated that the calibration requirements for the LEL

meter in 40 CFR 60.113c(a)(3)(ii) and (iv) that are specified for demonstrating compliance with the 25 percent LEL limit for IFR storage vessels are burdensome and should be simplified to be consistent with the calibration requirements for the LEL meter within the storage vessel degassing requirements in 40 CFR 60.112c(e). The commenter stated that following the procedures for "calibration and maintenance according to manufacturer's specifications" should be adequate for both sections of the rule. The commenter recommended that the EPA simplify the language in 40 CFR 60.113c(a)(3)(ii) and (iv) consistent with the LEL calibration requirements in the storage vessel degassing section. Another commenter noted that the language at 40 CFR 60.113c(a)(3)(iv) references gasoline vapors and should be generalized to accommodate other stored VOLs.

Response: We disagree that the LEL calibration requirements in 40 CFR 60.113c(a)(3)(ii) and (iv) are burdensome. These paragraphs allow the use of manufacturers' calibration methods, and they primarily specify when calibration checks must be made and specify the LEL span response. Upon review of the two LEL monitoring requirements, we are adding more specific calibration requirements for the LEL monitoring instrument used to monitor degassing. Specifically, we are requiring calibration and zero offset checks each day and at the end of the degassing event prior to completion to confirm that the final readings are accurate before controlled degassing can be discontinued.

With respect to the comment regarding the reference to gasoline vapors in the calibration requirements at 40 CFR 60.113c(a)(3)(iv), we agree that the proposed language needed to be generalized. We used calibration language from the gasoline distribution rule (40 CFR part 63, subpart R), which requires the correction factor to be based on "gasoline vapor." Because NSPS subpart Kc is applicable to a much broader range of chemicals, we are revising references to "gasoline vapors" to "vapors of the stored VOL." We are, however, retaining the use of butane as the surrogate if correction factors are not available for the vapors of the VOL stored, because a surrogate is needed when no published correction factor is available for the VOL, and butane is considered a reasonable surrogate for any VOL that does not have a published correction factor.

Comment: Two commenters stated that EPA Method 21 testing is laborious, costly, and time-consuming for

facilities. One commenter believes that the sensory monitoring provisions as proposed would place undue burdens on operators and would result in redundancy in monitoring and compliance measures. Both commenters stated that when coupled with the quarterly sensory testing, the requirement for annual EPA Method 21 testing is unnecessary. One commenter submitted a 1997 rule interpretation memorandum written by the Texas Natural Resource Conservation Commission, which explained that the EPA Method 21 test under NSPS subpart Kb is not considered a performance test under 40 CFR 60.8 since the EPA Method 21 is considered a screening measurement rather than a performance test, subject to the recordkeeping requirements in the General Provisions of 40 CFR 60.7(f) and not required to be reported by either NSPS subpart A or Kb. The commenter requested that the EPA discuss whether the EPA agrees or disagrees with this guidance and whether the interpretation also applies to NSPS subpart Kc.

Response: We disagree that quarterly AVO monitoring is burdensome. If a leak is found via AVO monitoring, it triggers corrective action. Additionally, we disagree that annual EPA Method 21 monitoring is unnecessary, because EPA Method 21 will detect small emissions sources that are above 500 ppm but that would remain undetected by AVO monitoring. The closed vent system is to be operated “with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background and visual inspections, as determined in part 60, subpart VV, § 60.485(b).” In the case of NSPS subpart Kb, 40 CFR 60.113b(c) states: “The owner or operator of each source that is equipped with a closed vent system and control device as required in § 60.112b (a)(3) or (b)(2) (other than a flare) is exempt from § 60.8 of the General Provisions and shall meet the following requirements.” As such, the language in NSPS subpart Kb indicates that 40 CFR 60.8 does not apply.

For NSPS subpart Kc, we used language that the closed vent system must operate “. . . with no detectable emissions as indicated by an instrument reading of less than 500 ppmv above background . . .” (see 40 CFR 60.112c(d)(2)), but there is no clear exemption from 40 CFR 60.8 in 40 CFR 60.113c(c)(2). Nonetheless, we agree that the requirements in 40 CFR 60.8 do not apply to EPA Method 21 instrument monitoring under NSPS subpart Kb. Unlike in NSPS subpart Kb, we proposed and are finalizing reporting requirements in NSPS subpart Kc for

EPA Method 21 instrument monitoring events. In reviewing the proposed NSPS subpart Kc provisions related to EPA Method 21 and AVO monitoring, we recognized that we focused on the instrument monitoring requirements when using EPA Method 21 and inadvertently neglected to mention the AVO inspection requirements. Therefore, we are adding reference to the monthly AVO monitoring requirement in 40 CFR 60.113c(c)(2) consistent with the requirement under the proposed and final requirements at 40 CFR 60.112c(d)(2)(i), and we are revising the provision of 40 CFR 60.113c(c)(3) to clarify that emissions detected using AVO methods are “leaks” triggering corrective action. This latter revision also clarifies that leaks identified from AVO monitoring do not trigger the need to conduct EPA Method 21 monitoring of an AVO-identified leak. In our review, we also identified a lack of reporting requirements related to AVO-identified leaks. Therefore, we have also revised what we proposed for recordkeeping requirements at 40 CFR 60.115c(d)(3)(v) and reporting requirements at 40 CFR 60.116c(f)(8)(ii) to indicate the type of monitoring conducted and to report information regarding all leaks identified, not just those identified during EPA Method 21 instrument monitoring.

Comment: Several commenters requested revisions to the vapor pressure testing requirements for mixtures of indeterminate or variable composition to define the term “variable” and to not require the initial and repeat physical testing for liquids whose upper and lower bounds of vapor pressure are known or are readily calculated using standard reference texts and good engineering judgment.

Response: We agree with the commenters that the concept of “variable compositions” of stored liquid mixtures for which the proposed rule would require initial and repeat physical testing to determine MTVP could be applied more broadly than intended. Thus, in 40 CFR 60.113c(d)(1) of the final rule, we are clarifying that for mixtures of variable composition, if the range of concentrations for each constituent is known such that the MTVP can be determined from data and procedures in standard reference texts, then physical testing is not required. Similarly, under the final rule, physical testing is not required for crude oils and refined petroleum products for which Reid vapor pressure is known and MTVP can be determined from nomographs and other procedures described in reference texts such as AP-42. Additionally, in 40 CFR

60.113c(d)(2) we have clarified that the provisions apply to affected storage vessels storing a mixture of indeterminate composition or a mixture of unknown variable composition.

E. Recordkeeping and Electronic Reporting

The EPA is finalizing a requirement that owners and operators of new, modified, or reconstructed VOL storage vessels subject to NSPS subpart Kc maintain records of the results of required testing, monitoring, and inspections. The EPA is finalizing a requirement that owners and operators of VOL storage vessels subject to the current and new NSPS at 40 CFR part 60, subparts Kb and Kc, submit electronic copies of required performance test reports and the semiannual excess emissions and continuous monitoring system performance and summary reports, through the EPA’s Central Data Exchange (CDX) using the Compliance and Emissions Data Reporting Interface (CEDRI).

We are finalizing the recordkeeping and reporting requirements similar to those proposed except that some of the revisions made to the standards, testing, and monitoring provisions required revision of the recordkeeping and reporting requirements for the final rule. The revisions to the proposed recordkeeping and reporting requirements and our rationale for making the revisions are summarized in this section.

- As noted in section IV.D. of this preamble, we are revising the recordkeeping and reporting requirements in 40 CFR 60.115c(d)(3)(v) and 60.116c(f)(8)(ii) to include the type of monitoring conducted and to report information regarding all leaks identified, including leaks identified using AVO methods.

- As noted in section IV.B.5. of this preamble, we separated PRD monitoring requirements to separately address devices on storage vessels and devices on the closed vent system and included provisions to monitor vacuum breaking devices on storage vessels. In reviewing recordkeeping and reporting requirements related to these provisions, we noted that we had proposed reporting requirements for PRDs, but we failed to include recordkeeping requirements for PRDs. Therefore, we are adding recordkeeping requirements at 40 CFR 60.115c(d)(3)(vii) for PRDs or vacuum breaking devices on a storage vessel or closed vent system that include: the device type; the monitoring device or system used for the device; data from

the device or system indicating whether a pressure release occurred; and the date, time, and duration of each pressure release, if applicable. We are also adding reporting requirements at 40 CFR 60.116c(c)(12) for each pressure release that occurred as a result of a vacuum breaking device that failed to close prior to the storage vessel reaching atmospheric pressure. The added reporting requirements include: identification of the vacuum breaking device; start date, start time, and duration (in minutes) of the pressure release; and an estimate of the mass quantity in pounds of VOL released. These requirements mimic the pressure release reporting requirements proposed (and being finalized) for PRDs, and these similar reporting requirements are needed to document compliance with or deviations from the requirements for vacuum breaking devices used for storage vessels using a closed vent system routed to a control device.

- As noted in section IV.B.5. of this preamble, we are including alternative provisions that allow enclosed combustion devices to comply with the flare operating and monitoring requirements. We include minor revisions to the proposed recordkeeping and reporting requirements commensurate with the provided alternative, to specify which recordkeeping and reporting requirements apply to control systems “other than flares or enclosed combustion devices electing to comply with § 60.112c(d)(5)” and which recordkeeping and reporting requirements apply to “flares or enclosed combustion devices electing to comply with § 60.112c(d)(5).” We are also adding a reporting requirement for the initial notification at 40 CFR 60.116c(a)(6) that includes a requirement to specify the type of control device used and the compliance option selected, which, if an enclosed combustion device is used, include whether the device is complying with a temperature operating limit or is instead electing to comply with the flare requirements in 40 CFR 60.112c(d)(5). This initial notification requirement will be useful for EPA permitting and enforcement personnel to clearly understand the compliance option being elected for the enclosed combustion device.

- For EFRs, as discussed in section IV.D. of this preamble, we added requirements to visually inspect the roof fittings (such as access hatches, gauge floats, gauge hatch/sample wells, rim vents, deck drains, deck legs, vacuum breakers, pontoon covers, and guidepoles) when gap measurements are

conducted. We are adding to the list at 40 CFR 60.116c(c)(5)(vi)(A) to include reference to deviations of the fitting controls outlined in 40 CFR 60.113c(b)(4)(iii)(A) through (D) to allow reporting of fitting deviations identified during the gap measurement inspections.

- As discussed in the comment and response included in this section of the preamble, we are revising what we proposed for the timing of semiannual compliance reports to either cover fixed time periods (from January 1 to June 30 or July 1 to December 31) or align with established reporting dates based on 40 CFR parts 70 or 71 permit requirements. The proposed schedule for semiannual reports appeared to require separate semiannual reports for different affected storage vessels at a facility depending on when the storage vessel became affected under NSPS subpart Kc. Because facilities may have several affected storage vessels under NSPS subpart Kc, having fixed reporting periods simplifies the reporting requirements for these facilities.

Comment: Numerous commenters requested that the EPA revise NSPS subpart Kc so that reporting requirements are consistent with other reporting obligations and establish the same semiannual reporting deadline for all VOL storage vessels. The commenters noted that, as proposed, it appeared that each affected VOL storage vessel could have a separate reporting schedule depending on when the sources became affected sources under NSPS subpart Kc. The commenters recommended that the EPA require the annual reports to cover activities in set time periods (January 1 through June 30 or July 1 through December 31, as applicable). One commenter also recommended that the EPA include an alternative that would allow each affected facility subject to permitting regulations pursuant to 40 CFR parts 70 or 71 to align the semiannual reports with established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A).

Response: First, we never intended to have different semiannual compliance report schedules for different storage vessels at a given facility. We note that the reporting form template was designed to allow reporting of all storage vessels at the facility in one semiannual report. However, we agree that, because the affected facility is each VOL storage vessel, the proposed requirements at 40 CFR 60.116c(d) could be interpreted to impose different reporting schedules for different storage vessels if they become affected facilities

in different months. Several commenters suggested that the semiannual reports cover fixed timeframes, specifically January through June and July through December. This appears reasonable. One commenter also suggested including reference to semiannual reports under 40 CFR parts 70 or 71 in the event that the current semiannual reporting period is different from January through June and July through December. This also appears reasonable. Therefore, we are providing a fixed timeframe for the semiannual reports (January through June and July through December) and providing an alternative timeframe to harmonize with other semiannual reports as scheduled under 40 CFR parts 70 or 71, if different from the fixed timeframe being finalized. We clarify that the first semiannual compliance report is triggered by the date on which the first storage vessel at the facility becomes an affected facility subject to NSPS subpart Kc and would cover, for example, April 15 through June 30 if the source becomes an affected facility on April 15. As new storage vessels become affected facilities under NSPS subpart Kc, the information for those storage vessels will be added to the semiannual report. These semiannual reporting requirements simplify the reporting requirements compared to the timing proposed and allow alignment of the semiannual reports provided for NSPS subpart Kc with other reporting requirements that may apply for the facility.

F. Other Final Amendments

1. Editorial Corrections

We received a number of comments regarding editorial, typographical, and cross-reference corrections that we agree with and are finalizing. Additionally, we received comments recommending clarification of requirement language to reduce misinterpretation. After reviewing these comments, we are revising some language in the final rule. We are revising references of “a control” to “a control device.” Beyond these changes, the EPA made several revisions throughout NSPS subpart Kc to improve clarity.

One commenter recommended that the EPA clarify in 40 CFR 60.113c(d)(1) that the requirement to determine MTVP is not a one-time requirement, as implied by the word “initial,” but also applies to non-anticipated tank service changes. We agree that if the VOL stored in the storage vessel changes, the MTVP should be reassessed. We are revising 40 CFR 60.113c(d)(1) to require that this determination be made prior to the

initial filling of the storage vessel or to the refilling of the storage vessel with a new VOL.

One commenter recommended that in 40 CFR 60.115c(d)(5)(i) and 40 CFR 60.116c(c)(10)(i)(A) the EPA should add “or flare flame” to any occurrence of “pilot flame” consistent with the provisions in 40 CFR 60.112c(d)(5)(iv) and 40 CFR 60.113c(c)(1)(iv)(B). We are revising 40 CFR 60.115c(d)(5)(i) and 40 CFR 60.116c(c)(10)(i)(A) accordingly.

2. Definitions

We received several comments recommending the inclusion of definitions that were not included in the proposal. Additionally, we received comments recommending definition revisions. This section of the preamble summarizes major comments received concerning definitions and provides our responses to those comments.

Comment: Several commenters recommended that the EPA define the term “pressure relief device” in NSPS subpart Kc and provided a suggested definition:

Pressure relief device means a valve, rupture disk, or similar device used only to release an unplanned, nonroutine discharge of gas from process equipment in order to avoid safety hazards or equipment damage. A pressure relief device discharge can result from an operator error, a malfunction such as a power failure or equipment failure, or other unexpected cause. Such devices include conventional, spring-actuated relief valves, balanced bellows relief valves, pilot-operated relief valves, rupture disks, and breaking, buckling, or shearing pin devices. Devices that are actuated either by a pressure of less than or equal to 2.5 pounds per square inch gauge or by a vacuum are not pressure relief devices.

Response: We agree with the commenters and are including a definition of “pressure relief device” in NSPS subpart Kc similar to the commenters’ suggestion. For storage vessels, we consider “conservation vents” to be PRDs. These conservation vents typically have actuation pressure less than 2.5 psig. As such, the last sentence in our final definition reflects a change from the last sentence in our proposed definition to only exclude vacuum breaking devices from the definition of “pressure relief devices.” We are also clarifying that, if a device has both a pressure relief function and a vacuum breaking function, such as a conservation vent, the portion of the conservation vent that acts to relieve pressure is considered a PRD and the portion of the conservation vent that acts to relieve vacuum is a vacuum breaking device and not a PRD. We are also adding a definition of “vacuum breaking device,” which is specific to

the fixed roof portion of the storage vessel and a vacuum breaker which is a component of a floating roof.

Comment: One commenter recommended that the EPA define the term “pressure release.”

Response: We are adding a definition of “pressure release” to 40 CFR 60.111c. We are including in the definition of “pressure release” emissions of materials resulting from a vacuum breaking device failing to close prior to the system reaching atmospheric pressure.

Comment: One commenter recommended that the EPA define the terms “vapor balancing system,” “fuel gas,” “fuel gas system,” and “routed to a process or route to a process.”

Response: We determined that vapor balancing is not appropriate or equivalent to the BSER identified for VOL storage vessels. As such, we are not including a definition of “vapor balancing system” in NSPS subpart Kc. We disagree with the commenter’s request to define “fuel gas” because the “fuel gas system” definition is sufficient. We are finalizing definitions for “fuel gas system” and “routed to a process or route to a process” in NSPS subpart Kc.

Comment: One commenter recommended that the EPA define “degassing” with language consistent with the Texas Commission on Environmental Quality’s (TCEQ) definition.

Response: The EPA agrees with the commenter to define “degassing”; however, the TCEQ definition is insufficient as there may be other reasons to empty and degas a storage vessel other than cleaning. While we agree that cleaning may be a step in the process, we expect degassing to occur for other reasons. We are finalizing a definition for “degassing” in NSPS subpart Kc to clarify this point.

G. Effective Date and Compliance Dates

Pursuant to CAA section 111(b)(1)(B), the effective date of the final rule requirements in subpart Kc will be the promulgation date. Affected sources that commence construction, reconstruction, or modification after October 4, 2023, must comply with all requirements of subpart Kc no later than the effective date of the final rule or upon startup, whichever is later. The EPA is finalizing amendments to NSPS subpart Kb to include electronic submission requirements. Affected NSPS subpart Kb sources that commence construction, reconstruction, or modification after July 23, 1984, and before October 4, 2023, must comply with the updated requirements to submit reports

electronically no later than the effective date of the final rule.

V. Summary of Cost, Environmental, and Economic Impacts

A. What are the air quality impacts?

The final provisions in NSPS subpart Kc reduce emissions of VOCs, some of which may also be hazardous air pollutants (HAPs). The EPA estimates that the final standards will reduce VOC emissions by 1,085 tons per year, which includes the impacts from new, modified, and reconstructed storage vessels. More information regarding the air quality impacts and emission reductions are included in the memorandum *Control Options for Storage Vessels* (Docket ID No. EPA-HQ-OAR-2023-0358-0002).

B. What are the cost impacts?

This final action will cost (in 2022 dollars) approximately \$21.1 million in total capital cost and result in a total annualized cost of \$5.38 million per year (including product recovery) based on our analysis of the final actions in NSPS subpart Kc. More information about the estimated cost of the final actions can be found in the memorandum *Control Options for Storage Vessels* (Docket ID No. EPA-HQ-OAR-2023-0358-0002).

C. What are the economic impacts?

For economic impact analyses (EIA) of rules that directly affect a single industry or a few industries, the EPA often prepares a partial equilibrium analysis. In this type of economic analysis, the focus of the effort is on estimating impacts on a single affected industry or several affected industries, and all impacts of this rule on industries outside of those affected are assumed to be zero or so inconsequential as to not be considered in the analysis. If the compliance costs, which are key inputs to an EIA, are quite insignificant, then the impact analysis could consist of a calculation of annual (or annualized) costs as a percentage of sales for affected companies. This latter type of analysis is called a screening analysis and is applied when a partial equilibrium or more complex EIA approach is deemed not necessary given the expected size of the impacts.

The net present value of the estimated cost impacts of NSPS subpart Kc is \$19.4 million, discounted at a 3 percent rate over a 5-year analytic timeframe from 2024 to 2028 in 2022 dollars. Using a 7 percent discount rate, the net present value of the estimated cost impacts is \$17.3 million. The equivalent annualized value in 2022 dollars is a

cost of approximately \$4.1 million using a discount rate of either 3 or 7 percent.

Storage vessels in NSPS subpart Kb are most closely associated with the petroleum and coal products industry (NAICS 324000), the chemical products industry (NAICS 325000), and the petroleum bulk stations and terminals industry (NAICS 424710). While we do not know the precise distribution of new and modified storage vessels across the affected sectors, we know that there are affected storage vessels in the sectors mentioned earlier in this preamble. These sectors contribute gross value added, ranging from \$200 to \$501 billion per sector, to the national economy. In comparison, the requirements in NSPS subpart Kc have estimated total costs of \$21 million. The total cost is the total incurred collectively amongst numerous sectors, and each of the sectors examined has sales of at least \$200 billion. Thus, the compliance costs of this action are insignificant relative to the scale for the sectors affected, and it is appropriate to evaluate the economic impacts by conducting a screening analysis comparing the costs to entity-level sales.

Given the results of the analysis, these economic impacts are relatively low for affected industries and entities impacted by this final rule, and there will not be substantial impacts on the markets for affected products. The costs of the final rule are not expected to result in a significant market impact, regardless of whether they are passed on to the purchaser or absorbed by the firms. We also expect minimal impacts on employment.

D. What are the benefits?

The final provisions in NSPS subpart Kc would reduce emissions of VOCs, some of which may also be HAPs. Because VOCs react in the atmosphere to produce ozone, these standards would help to reduce atmospheric ozone concentrations and reduce health effects associated with high levels of ozone. Furthermore, the final requirements to submit reports and test results electronically would improve monitoring, compliance, and implementation of the rule.

E. What analysis of environmental justice did we conduct?

For purposes of analyzing regulatory impacts, under Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, the EPA relies upon its June 2016 “Technical Guidance for Assessing Environmental Justice in Regulatory Analysis,” which provides

recommendations that encourage analysts to conduct the highest quality analysis feasible, recognizing that data limitations, time, resource constraints, and analytical challenges will vary by media and circumstance. The Technical Guidance states that a regulatory action may involve potential EJ concerns if it could: (1) create new disproportionate impacts on communities with EJ concerns; (2) exacerbate existing disproportionate impacts on communities with EJ concerns; or (3) present opportunities to address existing disproportionate impacts on communities with EJ concerns through this action under development.

The EPA’s EJ technical guidance states that “[t]he analysis of potential EJ concerns for regulatory actions should address three questions: (A) Are there potential EJ concerns associated with environmental stressors affected by the regulatory action for population groups of concern in the baseline? (B) Are there potential EJ concerns associated with environmental stressors affected by the regulatory action for population groups of concern for the regulatory option(s) under consideration? (C) For the regulatory option(s) under consideration, are potential EJ concerns created or mitigated compared to the baseline?”⁹

Because this action finalizes standards of performance for new, modified, and reconstructed sources that commence construction after October 4, 2023, the locations of the construction of new VOL storage vessels are not known. In addition, it is not known which of the existing facilities will be modified or reconstructed in the future. Therefore, we are unable to quantitatively estimate the potential environmental justice impact of NSPS subpart Kc. Over the next 5 years, the EPA estimates that 1,440 new tanks and 30 modified tanks would be subject to NSPS subpart Kc. We estimate that there are more than 10,000 existing VOL storage vessels, but we do not have a list of specific storage vessels and their locations. Therefore, we cannot perform a proximity demographic analysis of populations near existing units as a proxy for units that may be modified or reconstructed and become subject to NSPS subpart Kc. Finally, because we based the analysis of the impacts and emission reductions on model plants, we cannot ascertain specifically how the

potential benefits of this rule would be distributed across the population. Thus, we are limited in our ability to estimate the potential EJ impacts of this rule.

The EPA expects that NSPS subpart Kc will ensure compliance via revised vapor pressure applicability thresholds, stricter seal requirements on IFR tanks, equivalent control requirements for EFRs, and strengthened closed vent system standards for vessels routed to a control device, fuel gas system, or process. This action finalizes standards of performance that apply at all times (including periods of SSM) and achieve an average 98 percent control efficiency. The rule will also increase data transparency through electronic reporting. Therefore, effects of emissions on populations in proximity to any future affected sources, including in communities potentially overburdened by pollution, which are often communities with EJ concerns, will be minimized due to the compliance with the standards of performance being finalized in this action.

VI. Statutory and Executive Order Reviews

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

A. Executive Order 12866: Regulatory Planning and Review and Executive Order 14094: Modernizing Regulatory Review

This action is not a significant regulatory action as defined in Executive Order 12866, as amended by Executive Order 14094, and was therefore not subject to a requirement for Executive Order 12866 review.

B. Paperwork Reduction Act (PRA)

The information collection activities in this rule have been submitted for approval to OMB under the PRA. The Information Collection Request (ICR) document that the EPA prepared has been assigned EPA ICR number 2791.01. You can find a copy of the ICR in the docket for this rule, and it is briefly summarized here. The information collection requirements are not enforceable until the Office of Management and Budget (OMB) approves them.

The EPA is finalizing requirements for storage vessels, including periodic inspections based on the type of storage vessel. This information will be collected to assure compliance with NSPS subpart Kc.

⁹ Technical Guidance for Assessing Environmental Justice in Regulatory Analysis, U.S. EPA, June 2016. Quote is from Section 3—Key Analytic Considerations, page 11. <https://www.epa.gov/environmentaljustice/technical-guidance-assessing-environmental-justice-regulatory-analysis>.

Respondents/affected entities:

Owners or operators of VOL storage vessels.

Respondent's obligation to respond: Mandatory (40 CFR part 60, subpart Kc).

Estimated number of respondents: 588.

Frequency of response: Initially and semiannually.

Total estimated burden: 16,394 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: \$2,009,357 (per year), includes \$528,240 in annualized capital and no operation or maintenance costs.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the EPA's regulations in 40 CFR are listed in 40 CFR part 9. When OMB approves this ICR, the Agency will announce that approval in the **Federal Register** and publish a technical amendment to 40 CFR part 9 to display the OMB control number for the approved information collection activities contained in this final rule.

C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. The small entities subject to the requirements of this action are small businesses and small governmental jurisdictions that own or operate VOL storage vessels. The Agency has determined that small entities may experience an impact of likely below 1 percent relative to sales for any affected small entity, and an even larger margin before it would approach a 1 percent impact for a substantial number of small entities. Details of this analysis are presented in the memorandum *Economic Impact Analysis for the New Source Performance Standards (NSPS) for the Volatile Organic Liquid Storage Vessels (Tanks)* included in the docket.

D. Unfunded Mandates Reform Act (UMRA)

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

E. Executive Order 13132: Federalism

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

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

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

This action does have Tribal implications as specified in Executive Order 13175. NSPS subpart Kb includes provisions for storage vessels that already have impacts on Tribal governments that have storage vessels with at least 20,000 gallons of capacity and that meet the vapor pressure thresholds for general rule applicability or control applicability. NSPS subpart Kc includes updates to the VOC standards and monitoring requirements for storage vessels that meet the revised vapor pressure thresholds for control. Additionally, basic requirements for determining a VOL's MTVP, recordkeeping, and good air pollution control practices are being finalized for all storage vessels greater than 20,000 gallons that only store VOLs with an MTVP greater than or equal to 0.25 psia. These changes will only impact storage vessels that are constructed, modified, or reconstructed after the proposal date.

Consistent with the *EPA Policy on Consultation and Coordination with Indian Tribes*, the EPA offered government-to-government consultation with Tribes by sending a letter dated October 3, 2023, inviting all federally recognized Tribes to request a consultation. The EPA received one request for consultation. On November 8, 2023, the EPA met with the Tribe for the purposes of discussing NSPS subpart Kc and other issues but were unable to conduct consultation on this specific rulemaking.

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

Executive Order 13045 directs Federal agencies to include an evaluation of the health and safety effects of the planned regulation on children in Federal health and safety standards and explain why the regulation is preferable to potentially effective and reasonably feasible alternatives. This action is not subject to Executive Order 13045 because it is not economically significant as defined in Executive Order 12866 and because the EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children. The final rule will reduce emissions of VOCs, some of which may also be HAPs. These standards will help

to reduce atmospheric ozone concentrations and reduce health effects associated with high levels of ozone and are projected to improve overall health, including that of children.

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

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

I. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51

This action for NSPS subparts Kb and Kc involves technical standards. Therefore, the EPA conducted a search to identify potentially applicable voluntary consensus standards. However, the Agency identified no such standards. Searches were conducted for EPA Methods 1, 1A, 2, 2A, 2C, 2D, 3A, 3B, 3C, 4, 6, 10, 15, 16, 16A, 18, 21, 22, and 25A of 40 CFR part 60, appendix A. The EPA has decided to use EPA Methods 21, 22, and 25A. Additional information for the voluntary consensus standard search and determinations can be found in the memorandum titled, *Voluntary Consensus Standard Results for Review of Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels)*. All potential standards were reviewed to determine the practicality of the voluntary consensus standards for this rule. Although there were no applicable voluntary consensus standards identified, we are finalizing the proposal to amend 40 CFR 60.17 to incorporate by reference two ASTM methods as discussed in section III.M. of the proposal preamble (88 FR 68550; October 4, 2023). These include the following:

- ASTM D6377–20, *Standard Test Method for Determination of Vapor Pressure of Crude Oil: VPCR_x (Expansion Method)*. The method is an automated device method for measuring vapor pressures for crude oils samples between 29 kPa and 180 kPa at 37.8 °C. The method is suitable for testing with a 4:1 vapor-liquid ratio.
- ASTM D6378–22, *Standard Test Method for Determination of Vapor Pressure (VPX) of Petroleum Products, Hydrocarbons, and Hydrocarbon-Oxygenate Mixtures (Triple Expansion Method)*. The method is an automated device method for measuring vapor pressures between 7 kPa and 150 kPa at 37.8 °C for tested samples with boiling points at 0 °C. The method is suitable for volatile organic liquids,

hydrocarbons and liquid petroleum products sampled at a 4:1 vapor-liquid ratio.

The ASTM standards are available from ASTM, International, 100 Barr Harbor Drive, Post Office Box C700, West Conshohocken, PA 19428–2959. See <https://www.astm.org>.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental Justice for All

The EPA believes that it is not practicable to assess whether the human health or environmental conditions that exist prior to this action result in disproportionate and adverse effects on communities with EJ concerns. Over the next 5 years, the EPA estimates that 1,440 new tanks and 30 modified tanks will be subject to NSPS subpart Kc. However, the locations of any new VOL storage vessels that would be subject to NSPS subpart Kc are not known. Furthermore, there is insufficient data available regarding the locations of existing VOL storage vessels. The EPA estimates that there are more than 10,000 existing storage vessels subject to NSPS subpart Kb, but we do not have a list of specific storage vessels and their locations. Therefore, we cannot perform a proximity demographic analysis of populations near existing storage vessels as a proxy for storage vessels that may be modified or reconstructed and become subject to NSPS subpart Kc. Finally, because we based the analysis of the impacts and emission reductions on model plants, we cannot ascertain specifically how the potential benefits of this rule would be distributed across the population. Thus, we are limited in our ability to estimate the potential EJ impacts of this rule.

The information supporting this Executive Order review is contained in section V.E. of this document. All pertinent supporting documents such as the technical memorandum, *Control Options for Storage Vessels* (Docket ID No. EPA–HQ–OAR–2023–0358–0002), which discusses the costs and environmental impacts of the regulatory options considered, is in the docket.

K. Congressional Review Act (CRA)

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

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedures, Air pollution control, Incorporation by reference, Reporting and recordkeeping requirements.

Michael S. Regan,
Administrator.

For the reasons set forth in the preamble, the Environmental Protection Agency is amending part 60 of title 40, chapter I, of the Code of Federal Regulations as follows:

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

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

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

Subpart A—General Provisions

- 2. Amend § 60.17 by:
 - a. Redesignating paragraphs (h)(198) through (233) as (h)(200) through (235); and
 - b. Adding paragraphs (h)(198) and (199).

The additions read as follows:

§ 60.17 Incorporations by reference.

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(h) * * *

(198) ASTM D6377–20, Standard Test Method for Determination of Vapor Pressure of Crude Oil: VPCR_x (Expansion Method), (Approved June 1, 2020); IBR approved for § 60.113c.

(199) ASTM–D6378–22, Standard Test Method for Determination of Vapor Pressure (VPX) of Petroleum Products, Hydrocarbons, and Hydrocarbon-Oxygenate Mixtures (Triple Expansion Method), (Approved July 1, 2022); IBR approved for § 60.113c.

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Subpart Kb—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, and On or Before October 4, 2023

- 3. Revise the heading of subpart Kb to read as set out above.
- 4. Amend § 60.110b by revising paragraph (a) to read as follows:

§ 60.110b Applicability and designation of affected facility.

(a) Except as provided in paragraph (b) of this section, the affected facility to which this subpart applies is each

storage vessel with a capacity greater than or equal to 75 cubic meters (m³) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984, and on or before October 4, 2023.

* * * * *

■ 5. Amend § 60.115b by:

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

The revisions and additions read as follows:

§ 60.115b Reporting and recordkeeping requirements.

* * * * *

(a) After installing control equipment in accordance with § 60.112b(a)(1) (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of § 60.112b(a)(1) and § 60.113b(a)(1). Prior to October 15, 2024, this report shall be an attachment to the notification required by § 60.7(a)(3). Beginning October 15, 2024, the owner or operator must submit all subsequent reports in PDF format following the procedures specified in paragraph (e) of this section.

(2) Keep a record of each inspection performed as required by § 60.113b(a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

(3) If any of the conditions described in § 60.113b(a)(2) are detected during the annual visual inspection required by § 60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.

(4) After each inspection required by § 60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in § 60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the

reason it did not meet the specifications of § 60.112b(a)(1) or § 60.113b(a)(3) and list each repair made. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.

(b) After installing control equipment in accordance with § 60.112b(a)(2) (external floating roof), the owner or operator shall meet the following requirements.

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of § 60.112b(a)(2) and § 60.113b(b)(2), (b)(3), and (b)(4). Prior to October 15, 2024, this report shall be an attachment to the notification required by § 60.7(a)(3). Beginning October 15, 2024, the owner or operator must submit all subsequent reports in PDF format following the procedures specified in paragraph (e) of this section.

(2) Within 60 days of performing the seal gap measurements required by § 60.113b(b)(1), furnish the Administrator with a report that contains the following information. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.

(i) The date of measurement;
(ii) The raw data obtained in the measurement; and

(iii) The calculations described in § 60.113b(b)(2) and (b)(3).

(3) Keep a record of each gap measurement performed as required by § 60.113b(b). Each record shall identify the storage vessel in which the measurement was performed and shall contain:

(i) The date of measurement;
(ii) The raw data obtained in the measurement; and

(iii) The calculations described in § 60.113b(b)(2) and (b)(3).

(4) After each seal gap measurement that detects gaps exceeding the limitations specified by § 60.113b(b)(4), submit a report to the Administrator within 30 days of the inspection. The report will identify the vessel and contain the information specified in paragraph (b)(2) of this section and the date the vessel was emptied or the repairs made and date of repair. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.

* * * * *

(d) After installing a closed vent system and flare to comply with § 60.112b, the owner or operator shall meet the following requirements.

(1) A report containing the measurements required by § 60.18(f)(1) through (6) shall be furnished to the Administrator as required by § 60.8 of the General Provisions. This report shall be submitted within 6 months of the initial start-up date. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures in paragraph (e) of this section.

(2) Records shall be kept of all periods of operation during which the flare pilot flame is absent.

(3) Semiannual reports of all periods recorded under § 60.115b(d)(2) in which the pilot flame was absent shall be furnished to the Administrator. Beginning October 15, 2024, all subsequent reports must be submitted in PDF format following the procedures specified in paragraph (e) of this section.

(e) An owner or operator required to submit notifications or reports following the procedures specified in this paragraph (e) must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to the owner or operator. Do not use CEDRI to submit information the owner or operator claims as CBI. Although the EPA does not expect persons to assert a claim of CBI, if an owner or operator wishes to assert a CBI claim for some of the information in the report or notification, the owner or operator must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the procedures in paragraphs (e)(1) and (2) of this section. Clearly mark the part or all of the information claimed to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. The owner or operator must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX

as described earlier in this paragraph (e).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described above, should include clear CBI markings, and be flagged to the attention of the NSPS Kb Lead. Owners and operators who do not have their own file sharing service and who require assistance with submitting large electronic files that exceed the file size limit for email attachments should email oaqpscbi@epa.gov to request a file transfer link.

(2) If an owner or operator cannot transmit the file electronically, the owner or operator may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer and NSPS Kb Lead, Mail Drop: C404-02, 109 T.W. Alexander, P.O. Box 12055, RTP, NC 27711. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(f) Owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX may assert a claim of EPA system outage for failure to timely comply with the electronic submittal requirement. To assert a claim of EPA system outage, owners and operators must meet the requirements outlined in paragraphs (f)(1) through (7) of this section.

(1) The owner or operator must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning 5 business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) The owner or operator must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as soon as possible after the outage is resolved.

(g) Owners and operators required to electronically submit notifications or reports through CEDRI in the EPA's CDX may assert a claim of force majeure for failure to timely comply with the electronic submittal requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (g)(1) through (5) of this section.

(1) An owner or operator may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning 5 business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).

(2) The owner or operator must submit notification to the Administrator in writing as soon as possible following the date the owner or operator first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) The owner or operator must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which the owner or operator proposes to report, or if the owner or operator has already met the reporting requirement at the time of the notification, the date the report was submitted.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

■ 6. Amend § 60.116b by revising paragraph (d) to read as follows:

§ 60.116b Monitoring of operations.

* * * * *

(d) Except as provided in paragraph (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m³ storing a liquid with a maximum true vapor pressure that is normally less than 5.2 kPa or with a design capacity greater than or equal to 75 m³ but less than 151 m³ storing a liquid with a maximum true vapor pressure that is normally less than 27.6 kPa shall notify the Administrator within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor pressure values for each volume range. Beginning October 15, 2024, all subsequent notifications must be submitted in PDF format following the procedures specified in § 60.115b(e).

* * * * *

■ 7. Amend § 60.117b by revising paragraph (b) to read as follows:

§ 60.117b Delegation of authority.

* * * * *

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

■ 8. Add subpart Kc consisting of §§ 60.110c through 60.117c to part 60 to read as follows:

Subpart Kc—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After October 4, 2023

Sec.

60.110c Applicability and designation of affected facility.

60.111c Definitions.

60.112c Standard for volatile organic compounds (VOC).

60.113c Testing, monitoring, and inspection procedures.

60.114c Alternative means of emission limitation.

60.115c Recordkeeping requirements.

60.116c Reporting requirements.

60.117c Delegation of authority.

§ 60.110c Applicability and designation of affected facility.

(a) Except as provided in paragraph (b) of this section, the affected facility to which this subpart applies is each storage vessel with a capacity greater than or equal to 20,000 gallons (gal) (75.7 cubic meters (m³)) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after October 4, 2023.

(b) This subpart does not apply to the following:

(1) Vessels at coke oven by-product plants;

(2) Pressure vessels designed to operate in excess of 29.7 pounds per square inch absolute (psia) (204.9 kilopascals (kPa) absolute) and without emissions to the atmosphere;

(3) Vessels permanently attached to mobile vehicles such as trucks, railcars, barges, or ships;

(4) Vessels with a design capacity less than or equal to 420,000 gal (1,589.874 m³) used for petroleum or condensate stored, processed, or treated prior to custody transfer;

(5) Vessels located at bulk gasoline plants as defined in 40 CFR 63.11100;

(6) Vessels located at gasoline service stations;

(7) Vessels used to store beverage alcohol; or

(8) Vessels that only store VOL with a maximum true vapor pressure less than 0.25 psia (1.7 kPa absolute).

(c) Storage vessels that are affected facilities according to paragraph (a) of this section for which construction or reconstruction commenced after October 4, 2023 are subject to the standards in § 60.112c and the corresponding requirements in §§ 60.113c through 60.116c as new sources any time they meet the specifications in either paragraph (c)(1) or (2) of this section, regardless of whether they initially contained VOL with a maximum true vapor pressure below the applicable threshold in paragraph (c)(1) or (2) of this section.

(1) Storage vessels with a capacity greater than or equal to 40,000 gal (151 m³) containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 0.5 psia (3.4 kPa).

(2) Storage vessels with a capacity greater than or equal to 20,000 gal (75.7

m³) but less than 40,000 gal (151 m³) containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 1.5 psia (10.3 kPa).

(d) Storage vessels that are affected facilities according to paragraph (a) of this section for which construction or reconstruction commenced on or before October 4, 2023, ("existing storage vessels") and are modified after October 4, 2023, are subject to the standards in § 60.112c and the corresponding requirements in §§ 60.113c through 60.116c as modified sources any time they meet the specifications in either paragraph (d)(1) or (2) of this section.

(1) For an existing storage vessel with a capacity greater than or equal to 40,000 gal (151 m³), containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 0.5 psia (3.4 kPa).

(2) For an existing storage vessel with a capacity greater than or equal to 20,000 gal (75.7 m³) but less than 40,000 gal (151 m³), containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 1.5 psia (10.3 kPa).

(e) For the purposes of this subpart,

(1) The phrase "change in the method of operation of, an existing facility which increases the amount of any air pollutant" in the definition of modification in § 60.2 or "operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies" in § 60.14(a) means a change in operation occurs if the storage vessel is used to store a VOL that has a greater maximum true vapor pressure than all VOL historically stored or permitted; and

(2) The exemption in § 60.14(e)(4) regarding alternative fuel or raw material does not apply to storage vessels.

(f) Storage vessels that are affected facilities according to paragraph (a) of this section and do not meet the criteria in either paragraph (c)(1), (c)(2), (d)(1), or (d)(2) of this section are subject to the requirements in § 60.113c(d), if applicable, and § 60.115c(b).

(g) All standards including emission limitations shall apply at all times, including periods of startup, shutdown and malfunction. As provided in § 60.11(f), this paragraph (g) supersedes the exemptions for periods of startup, shutdown, and malfunction in subpart A of this part.

(h) Owners or operators may choose to comply with the provisions of this subpart to demonstrate compliance with subparts K, Ka, and Kb of this part. Compliance with the provisions of this subpart, including all control

requirements, recordkeeping, and reporting requirements, will constitute compliance with the applicable storage vessel provisions in subparts K, Ka, and Kb.

(i) Owners or operators may choose to comply with this subpart to demonstrate compliance with 40 CFR part 63, subpart WW for storage vessels equipped with an internal or external floating roof that is subject to this subpart and 40 CFR part 63, subpart WW. Compliance with this subpart, including all floating roof requirements, recordkeeping, and reporting requirements, will constitute compliance with the applicable storage vessel provisions in 40 CFR part 63, subpart WW.

§ 60.111c Definitions.

Terms used in this subpart are defined in the Act, in subpart A of this part, or in this section as follows:

Access hatch means an opening in the roof with a vertical well and a cover attached to it. Access hatch provides passage for workers and materials through the roof for construction or maintenance.

Condensate means hydrocarbon liquid separated from natural gas that condenses due to changes in the temperature or pressure, or both, and remains liquid at standard conditions.

Closed vent system means a system that is not open to the atmosphere and is composed of piping, ductwork, connections, and, if necessary, flow inducing devices that transport gas or vapor from an emission point to a control device. Closed vent system does not include the vapor collection system that is part of any tank truck or railcar.

Custody transfer means the transfer of produced petroleum and/or condensate, after processing and/or treatment in the producing operations, from storage vessels or automatic transfer facilities to pipelines or any other forms of transportation.

Degassing means the process of removing VOL vapors from a storage vessel during, or in preparation of, cleaning or when taking the storage vessel out of service for inspection, repair, or other reason.

Enclosed combustion device means a thermal combustion device used to mix and ignite fuel, air pollutants, and air to provide a flame to heat and oxidize air pollutants and that emits the oxidized pollutants through a conveyance suitable to conduct a performance test. An *enclosed combustion device* may have recovery heat to preheat combustion air, but its primary purpose is for emission control and not to produce useful heat. *Enclosed*

combustion devices include, but are not limited to, thermal oxidizers and incinerators. For the purpose of this subpart, process heaters and boilers are not *enclosed combustion devices*.

External floating roof means a pontoon-type or double-deck type cover that rests on the liquid surface in a storage vessel without a fixed roof.

Fill means the introduction of VOL into a storage vessel but not necessarily to complete capacity.

Flare means a thermal combustion device using an open or shrouded flame (without full enclosure) such that the pollutants are not emitted through a conveyance suitable to conduct a performance test.

Fuel gas system means the offsite and onsite piping and control system that gathers gaseous stream(s) generated by onsite operations, may blend them with other sources of gas, and transports the gaseous stream for use as fuel gas in combustion devices, or in-process combustion equipment such as furnaces and gas turbines, either singly or in combination.

Gasoline service station means any site where gasoline is dispensed to motor vehicle fuel tanks from stationary storage vessels.

Gauge float means a device that is used to indicate the level of liquid within the storage vessel. The float rests on the liquid surface and is housed inside a well that is closed by a removable cover.

Gauge hatch/sample port/sample well means an opening in the roof that provides access for gauging or sampling. A gauge hatch is usually equipped with a closing cover or a funnel and slit-fabric seal to cover the opening.

Internal floating roof means a floating roof located in a storage vessel with a fixed roof. For the purposes of this subpart, an external floating roof located in a storage vessel to which a fixed roof has been added is considered to be an internal floating roof.

Liquid-mounted primary seal means a liquid or foam-filled seal mounted in continuous contact with the liquid between the wall of the storage vessel and the floating roof around the entire circumference of the storage vessel.

Maximum true vapor pressure means the equilibrium partial pressure exerted by the volatile organic compounds (as defined in 40 CFR 51.100) in the stored VOL at the temperature equal to the highest calendar-month average of the VOL storage temperature for VOLs stored above or below the ambient temperature or at the local maximum monthly average temperature as reported by the National Weather Service for VOLs stored at the ambient

temperature, as determined using the procedures specified in § 60.113c(d).

Mechanical shoe primary seal means a metal sheet (the shoe) held vertically against the wall of the storage vessel by springs or weighted levels and is connected by braces to the floating roof. A flexible coated fabric (the envelope) spans the annular space between the metal sheet and the floating roof.

Petroleum means the crude oil removed from the earth and the oils derived from tar sands, shale, and coal.

Petroleum liquids means petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery.

Pressure release means the emission of materials resulting from the system pressure being greater than the set pressure of the pressure relief device or resulting from vacuum breaking device failing to close prior to the system reaching atmospheric pressure. This release can be one release or a series of releases over a short time period.

Pressure relief device means a valve, rupture disk, or similar device used only to release an unplanned, nonroutine discharge of gas from process equipment in order to avoid safety hazards or equipment damage. Devices with low opening pressures must be monitored as bypass lines. A pressure relief device discharge can result from an operator error, a malfunction such as a power failure or equipment failure, or other unexpected cause. Such devices include conventional, spring-actuated relief valves, balanced bellows relief valves, pilot-operated relief valves, rupture disks, and breaking, buckling, or shearing pin devices. Devices that are actuated only by a vacuum are not pressure relief devices. If a device has both a pressure relief function and a vacuum breaking function, such as a conservation vent, the portion of the conservation vent that acts to relieve pressure is considered a pressure relief device and the portion of the conservation vent that acts to relieve vacuum is a vacuum breaking device and not a pressure relief device.

Process tank means a tank that is used within a process (including a solvent or raw material recovery process) to collect material discharged from a feedstock storage vessel or equipment within the process before the material is transferred to other equipment within the process, to a product or by-product storage vessel, or to a vessel used to store recovered solvent or raw material. In many process tanks, unit operations such as reactions and blending are conducted. Other process tanks, such as surge control vessels and bottoms

receivers, however, may not involve unit operations.

Reid vapor pressure means the absolute vapor pressure of volatile crude oil and volatile nonviscous petroleum liquids except liquified petroleum gases.

Rim-mounted secondary seal means a secondary seal mounted on the rim of the floating roof of a storage vessel and forms continuous seal from the rim of the floating roof to the wall of the storage vessel.

Rim seal system means a primary seal or a primary and secondary seal, which is mounted above the primary seal, and is attached to the deck perimeter and contacts the storage vessel wall.

Rim vent means a device consisting of a weighted pallet that rests on a valve seat. Rim vents are used to release any excess pressure or vacuum present in the vapor pocket between the seal and the rim area of a floating roof storage vessel.

Routed to a process or route to a process means the emissions are conveyed by hardpiping or a closed vent system to any enclosed portion of a process unit where the emissions are predominately recycled and/or consumed in the same manner as a material that fulfills the same function in the process; and/or transformed by chemical reaction into materials that are not volatile organic liquids; and/or incorporated into a product; and/or recovered.

Storage vessel means each tank, reservoir, or container used for the storage of volatile organic liquids but does not include:

(1) Frames, housing, auxiliary supports, or other components that are not directly involved in the containment of liquids or vapors;

(2) Subsurface caverns or porous rock reservoirs; or

(3) Process tanks.

Vacuum breaker/automatic bleeder vent means a device used to equalize the pressure of the vapor space across the deck of a floating roof as the floating roof is either being landed on or floated off its roof supports. A vacuum breaker/automatic bleeder vent consists of a well with a cover. The cover is designed to open as the floating roof is landed. Opening of the cover may be accomplished by mechanisms such as leg actuation or pressure actuation.

Vacuum breaking device means a device on a fixed roof of a storage vessel used to prevent mechanical failure of the storage vessel due to vacuum created as liquids are withdrawn from the storage vessel. If a device has both a pressure relief function and a vacuum breaking function, such as a conservation vent, the portion of the

conservation vent that acts to relieve vacuum is considered a vacuum breaking device and the portion of the conservation vent that acts to relieve excess pressure is a pressure relief device and not a vacuum breaking device.

Volatile organic liquid (VOL) means any organic liquid which can emit volatile organic compounds (as defined in 40 CFR 51.100) into the atmosphere.

Waste means any liquid resulting from industrial, commercial, mining, or agricultural operations, or from community activities that is discarded or is being accumulated, stored, or physically, chemically, or biologically treated prior to being discarded or recycled.

§ 60.112c Standard for volatile organic compounds (VOC).

(a) *General storage vessel control requirements.* You must equip and operate each storage vessel affected facility meeting the thresholds in § 60.110c(c)(1), (c)(2), (d)(1), or (d)(2) as specified in paragraphs (a)(1) through (4) of this section, as applicable.

(1) For each storage vessel affected facility containing a VOL that, as stored, has a maximum true vapor pressure less than 11.1 psia (76.6 kPa), you may elect to install and operate either an internal floating roof meeting the requirements in paragraph (b) of this section, an external floating roof meeting the requirements in paragraph (c) of this section, or a closed vent system routed to a control device, fuel gas system, or process as specified in paragraph (d) of this section.

(2) For each storage vessel affected facility containing a VOL that, as stored, has a maximum true vapor pressure of 11.1 psia (76.6 kPa) or more, you must install and operate a closed vent system routed to a control device, fuel gas system, or process as specified in paragraph (d) of this section.

(3) For each storage vessel affected facility complying with the closed vent system routed to a control device, fuel gas system, or process provisions specified in paragraph (d) of this section regardless of size and for each storage vessel with a design capacity greater than or equal to 1,000,000 gal (3,790 m³) containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 1.5 psia (10.3 kPa), you must also comply with the requirements in paragraph (e) of this section.

(4) You must meet the applicable testing, monitoring, and inspection requirements specified in § 60.113c, recordkeeping requirements specified in § 60.115c, and reporting requirements specified in § 60.116c.

(b) *Requirements for an internal floating roof.* You must equip and operate each internal floating roof as specified in paragraphs (b)(1) through (16) of this section, as applicable.

(1) The internal floating roof must rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof must be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the roof supports, the process of filling, emptying, or refilling must be continuous and must be accomplished as rapidly as possible.

(2) Except as provided in paragraph (b)(14) of this section, each internal floating roof must be equipped with the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

(i) Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal.

(ii) The primary seal must be either a mechanical shoe seal or a liquid-mounted seal. If a mechanical shoe seal is used, it must be installed so that one end of the shoe extends into the stored VOL and the other end extends a minimum vertical distance of 6 inches (15 centimeters) above the stored organic liquid surface.

(iii) The secondary seal must be rim-mounted.

(3) Each opening in a noncontact internal floating roof except for vacuum breaker/automatic bleeder vents and the rim vents is to provide a projection below the liquid surface.

(4) Vacuum breaker/automatic bleeder vents must be equipped with a gasket and are to be closed at all times, with no visible gaps, when the roof is floating. Vacuum breaker/automatic bleeder vents must be set to open only when the roof is being floated off or is being landed on the roof supports.

(5) Rim vents must be equipped with a gasket and must be closed at all times with no visible gaps when the roof is floating. Rim vents must be set to open only when the internal floating roof is not floating or when the pressure beneath the rim seal system exceeds the manufacturer's recommended setting.

(6) Each penetration of the internal floating roof for the purpose of sampling must be a gauge hatch/sample well.

Except as specified in paragraph (b)(14) of this section, the gauge hatch/sample well must have a gasketed cover, which must be closed at all times, with no visible gaps, except when the hatch or well must be opened for access.

(7) Each access hatch and gauge float well must be equipped with a cover that is gasketed and that is bolted or otherwise mechanically secured. The cover must be closed and must be bolted or otherwise mechanically secured at all times, with no visible gaps, except when the hatch or well must be opened for access.

(8) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof must have a flexible fabric sleeve seal or a gasketed sliding cover.

(9) Each penetration of the internal floating roof that allows for passage of an unslotted leg ladder or unslotted ladder/guidepole combination must have a gasketed sliding cover. The cover must be closed at all times, with no visible gaps, except when the well must be opened for access.

(10) Each slotted guidepole must be equipped with one of the controls specified in paragraphs (b)(10)(i) through (v) of this section. The covers must be designed to be closed at all times, with no visible gaps, except when the cover must be opened for access.

(i) Gasketed sliding well cover, with pole sleeve. The sleeve must extend into the stored liquid.

(ii) Gasketed sliding well cover, with pole sleeve and pole wiper. The sleeve must extend into the stored liquid.

(iii) Gasketed sliding well cover, with pole float and pole wiper. The wiper or seal of the pole float must be at or above the height of the pole wiper.

(iv) Gasketed sliding well cover, with pole float, pole sleeve, and pole wiper. The sleeve must extend into the stored liquid. The wiper or seal of the pole float must be at or above the height of the pole wiper.

(v) A flexible device that completely encloses the slotted guidepole and eliminates the hydrocarbon vapor emissions pathway from inside the storage vessel through the guidepole slots to the outside air; a gasketed guidepole cover at the top of the guidepole; and a gasketed sliding well cover positioned at the top of the guidepole well that seals any openings between the well cover and the guidepole (e.g., pole wiper), any openings between the well cover and any other objects that pass through the well cover, and any other openings in the top of the guidepole well.

(11) Ladder-slotted guidepole combination wells must be equipped

with a gasketed sliding well cover and a ladder sleeve. The sliding well cover must be designed to be closed at all times with no visible gaps, except when gauging or sampling.

(12) Unslotted guidepoles must be equipped with one of the controls specified in paragraph (b)(12)(i) or (ii) of this section. The controls must be designed to be closed at all times with no visible gaps.

(i) A gasketed guidepole cover at the top of the guidepole; a gasketed sliding well cover; and a pole sleeve. The guidepole cover must be closed at all times, except when required to be opened for access. The gasketed sliding well cover must seal any openings between the well cover and the guidepole, any openings between the well cover and any other objects that pass through the well cover, and any other openings in the top of the guidepole well.

(ii) A gasketed guidepole cover at the top of the guidepole; a gasketed sliding well cover; and a pole wiper. The guidepole cover must be closed at all times, except when required to be opened for access. The gasketed sliding well cover must seal any openings between the well cover and the guidepole (e.g., pole wiper), any openings between the well cover and any other objects that pass through the well cover, and any other openings in the top of the guidepole well.

(13) Except for leg sleeves and stub drains, each opening in the internal floating roof not specified in paragraphs (b)(4) through (12) of this section, must be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device must be opened for access. The cover or lid must be equipped with a gasket.

(14) For each modified storage vessel as specified in § 60.110c(d) with an existing internal floating roof, you may elect to comply with the rim seal system requirements in § 60.112b(a)(1)(ii) or § 60.110b(e) instead of the requirements in paragraph (b)(2) of this section, and you may elect to comply with the gauge hatch/sample well requirements in § 60.112b(a)(1)(vii) or § 60.110b(e) instead of the requirements in paragraph (b)(6) of this section.

(15) A system equivalent to those described in paragraphs (b)(1) through (14) of this section, as applicable, as provided in § 60.114c.

(16) Equip, maintain, and operate each internal floating roof control system to maintain the vapor concentration above the floating roof at or below 25 percent of the lower explosive limit (LEL) on a 5-minute

rolling average basis without the use of purge gas. This standard may require additional controls, such as improved seam seals, beyond those specified in paragraphs (b)(1) through (15) of this section. Compliance with this paragraph (b)(16) must be determined using the methods in § 60.113c(a)(3). Exceeding the LEL is considered an inspection failure under § 60.113c(a)(2)(i) and must be remedied as such. Any repairs made must be confirmed effective through re-monitoring of the LEL and meeting the limits in this paragraph (b)(16) within the timeframes specified in § 60.113c(a)(2)(i).

(c) *Requirements for an external floating roof.* You must equip and operate each external floating roof as specified in paragraphs (c)(1) through (4) of this section.

(1) The roof must be floating on the liquid at all times (*i.e.*, off the roof supports) except during initial fill until the roof is lifted off roof supports and when the storage vessel is completely emptied or subsequently emptied and refilled. The process of filling, emptying, or refilling when the roof is resting on the roof supports must be continuous and must be accomplished as rapidly as possible.

(2) Each external floating roof must be equipped with a primary and secondary rim seal system as specified in paragraph (b)(2) of this section, except that if a mechanical shoe primary seal is used, it must be installed so that one end of the shoe extends into the stored VOL and the other end extends a minimum vertical distance of 24 inches (61 centimeters) above the stored organic liquid surface. The external floating roof also must have welded deck seams, and it must have deck fitting controls as specified in paragraphs (c)(2)(i) through (ix) of this section, as applicable. References to an internal floating roof in paragraph (b)(2) of this section means an external floating roof for the purposes of this paragraph (c)(2).

(i) Each opening in an external floating roof except for vacuum breaker/automatic bleeder vents and the rim vents is to provide a projection below the liquid surface.

(ii) Vacuum breaker/automatic bleeder vents must be equipped with a gasket and are to be closed at all times, with no visible gaps, when the roof is floating. Vacuum breaker/automatic bleeder vents must be set to open only when the roof is being floated off or is being landed on the roof supports.

(iii) Rim vents must be equipped with a gasket and must be closed at all times with no visible gaps when the roof is floating. Rim vents must be set to open

only when the external floating roof is not floating or when the pressure beneath the rim seal system exceeds the manufacturer's recommended setting.

(iv) Each penetration of the external floating roof for the purpose of sampling must be a gauge hatch/sample well. The gauge hatch/sample well must have a gasketed cover, which must be closed at all times, with no visible gaps, except when the hatch or well must be opened for access.

(v) Each access hatch and gauge float well must be equipped with a cover that is gasketed and that is bolted or otherwise mechanically secured. The cover must be closed and must be bolted or otherwise mechanically secured at all times, with no visible gaps, except when the hatch or well must be opened for access.

(vi) Except as specified in paragraph (c)(3) of this section, if the external floating roof does not have a liquid-mounted primary seal, all guidepoles must be unslotted and must be equipped as specified in paragraph (b)(12) of this section.

(vii) Except as specified in paragraph (c)(3) of this section, if the external floating roof has a liquid-mounted primary seal, equip each guidepole as specified in paragraphs (c)(2)(vii)(A) and (B) of this section.

(A) Each slotted guidepole must be equipped as specified in paragraphs (b)(10)(ii) or (iv) of this section.

(B) Each unslotted guidepole must be equipped as specified in paragraph (b)(12) of this section.

(viii) Each emergency roof drain is to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

(ix) Except for leg sleeves, each opening in the external floating roof not subject to controls specified in paragraphs (c)(2)(i) through (viii) of this section must be equipped with a cover or lid which is to be maintained in a closed position at all times (*i.e.*, no visible gap), except when the device must be opened for access. The cover or lid must be equipped with a gasket.

(3) For each modified storage vessel as specified in § 60.110c(d) with an existing external floating roof, you may elect to comply with any of the guidepole controls specified in paragraphs (b)(10) and (12) of this section regardless of the type of primary seal used.

(4) A system equivalent to those described in paragraphs (c)(1) through (3) of this section as provided in § 60.114c.

(d) *Requirements for closed vent system routed to a control device, fuel gas system, or process.* You must design,

install, and operate each affected storage vessel with a closed vent system that routes to a control device, fuel gas system, or process as specified in paragraphs (d)(1) through (7) of this section.

(1) The storage vessel must be designed and operated to be routed through a closed vent system to a control device, fuel gas system, or process at all times the storage vessel contains VOL without venting to the atmosphere through either meeting the storage vessel design requirements specified in paragraph (d)(1)(i) of this section or the vapor recovery system design requirements specified in paragraph (d)(1)(ii) of this section. Compliance with this requirement must be demonstrated according to paragraph (d)(1)(iii) of this section. Any vacuum breaking device on the storage vessel must close while the storage vessel is still under vacuum of at least -0.1 inches of water (-0.0036 psig or -0.025 kPa gauge).

(i) The storage vessel must be designed to operate at a gauge pressure of no less than 1 psi greater than the maximum true vapor pressure of the stored liquid and any back pressure anticipated when the storage vessel is filled at its maximum rate without venting to the atmosphere.

(ii) The vapor recovery system must be designed and operated to maintain the pressure in each storage vessel routed to a control device below the venting pressure of that storage vessel.

(iii) You must equip each pressure relief device and vacuum breaking device on a storage vessel with a device(s) or use a monitoring system that is capable of meeting the requirements in paragraphs (d)(1)(iii)(A) through (C) of this section. If all emissions from a pressure relief device are routed through a closed vent system to a control device, process, or fuel gas system, then you are not required to comply with the requirements of this paragraph (d)(1)(iii).

(A) Identifying the pressure release.

(B) Recording the time and duration of each pressure release.

(C) Notifying operators immediately that a pressure release is occurring. The device or monitoring system must be either specific to the pressure relief device or vacuum breaking device itself or must be associated with each storage vessel to indicate a pressure release to the atmosphere. Examples of these types of devices and systems include, but are not limited to, a rupture disk indicator, magnetic sensor, motion detector on the pressure relief valve stem, flow monitor, or pressure monitor.

(2) Except for closed vent systems operated and maintained under negative pressure, each closed vent system must meet the requirements specified in paragraphs (d)(2)(i) through (iii) of this section.

(i) The closed vent system must be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 parts per million by volume (ppmv) above background, as determined using Method 21 of appendix A-7 to this part as specified in § 60.113c(c)(2) and (3), and as determined by observations for visible, audible, and olfactory indications of leaks. Visible, audible, and olfactory inspections must be performed quarterly and Method 21 of appendix A-7 instrument monitoring must be conducted at least annually.

(ii) Except for pressure relief devices and except for open-ended valves or lines that use a cap, blind flange, plug, or second valve and follow the requirements specified in § 60.482-6(a)(2), (b), and (c) or follow requirements codified in another regulation that are the same as § 60.482-6(a)(2), (b), and (c), you must comply with the provisions of either paragraph (d)(2)(ii)(A) or (B) of this section for each closed vent system that contains bypass lines that could divert a vent stream to the atmosphere.

(A) Properly install, maintain, and operate a flow indicator that is capable of taking readings every 15 minutes. Install the flow indicator at the entrance to any bypass line.

(B) Secure the bypass line valve in the non-diverting position with a car-seal or a lock-and-key type configuration.

(iii) You must equip each pressure relief device on a closed vent system with a device(s) or use a monitoring system that is capable of meeting the requirements in paragraphs (d)(2)(iii)(A) through (C) of this section. If all releases and potential leaks from a pressure relief device are routed through a closed vent system to a control device, process, or fuel gas system, then you are not required to comply with the requirements of this paragraph (d)(2)(iii).

(A) Identifying the pressure release.

(B) Recording the time and duration of each pressure release.

(C) Notifying operators immediately that a pressure release is occurring. The device or monitoring system must be either specific to the pressure relief device itself or must be associated with the process system or piping, sufficient to indicate a pressure release to the atmosphere. Examples of these types of

devices and systems include, but are not limited to, a rupture disk indicator, magnetic sensor, motion detector on the pressure relief valve stem, flow monitor, or pressure monitor.

(3) If you route emissions from a storage vessel to a control device, the control device must be designed and operated to reduce inlet VOC emissions by 98 percent or greater. If a flare is used as the control device or if an enclosed combustion device is used for which you elect to comply with the flare operating limits, you must meet the specifications described in paragraph (d)(5) of this section. The control device must be operated at all times when emissions from an affected storage vessel are routed to it except as provided in paragraph (d)(7) of this section.

(4) A system equivalent to those described in paragraphs (d)(1) through (3) of this section as provided in § 60.114c.

(5) If you route from a storage vessel to a flare or enclosed combustion device for which you elect to comply with these flare operating limits, you must meet all applicable requirements specified in 40 CFR 63.670(b) through (g) and (i) through (n) except as provided in paragraphs (d)(5)(i) through (v) of this section.

(i) For the purpose of this subpart,

(A) The term "regulated materials" refers to "vapors from a storage vessel affected facility";

(B) The term "pilot flame" means "pilot flame or flare flame";

(C) The terms "petroleum refinery" and "refinery" mean "storage vessel affected facility".

(ii) For visible emissions, use the following text instead of 40 CFR 63.670(c): The owner or operator shall operate with no visible emissions, except for periods not to exceed a total of five (5) minutes during any two (2) consecutive hours, when regulated material is routed to the flare. You must monitor for visible emissions from the flare as specified in § 60.113c(c)(1)(iv)(A).

(iii) The phrase "and the flare vent gas flow rate is less than the smokeless design capacity of the flare" in 40 CFR 63.670(d) for flare tip velocity requirements does not apply.

(6) If you route emissions from a storage vessel to a fuel gas system or process, you must meet the requirements in paragraphs (d)(6)(i) through (iv) of this section, as applicable.

(i) The fuel gas system or process must be operating at all times when emissions from an affected storage vessel are routed to it.

(ii) If all emissions are routed to a process, the VOL in the emissions must meet one or more of the conditions specified in paragraphs (d)(6)(ii)(A) through (D) of this section and you must comply with the compliance demonstration requirements in paragraph (d)(6)(iii) of this section.

(A) Recycled and/or consumed in the same manner as a material that fulfills the same function in that process.

(B) Transformed by chemical reaction into materials that are not regulated materials.

(C) Incorporated into a product.

(D) Recovered.

(iii) To demonstrate compliance with paragraph (d)(6)(ii) of this section for an affected storage vessel, you must prepare a design evaluation (or engineering assessment) that demonstrates the extent to which one or more of the conditions specified in paragraphs (d)(6)(ii)(A) through (D) of this section are being met.

(iv) If emissions from an affected storage vessel are routed to a fuel gas system, you must submit the statement of connection for fuel gas systems specified in § 60.116c(a)(7).

(7) To the extent practical, routine maintenance on the control device should be conducted when the storage vessel(s) is(are) out of VOL service. If you comply with all the provisions in paragraphs (d)(7)(i) through (iv) of this section, you may conduct routine maintenance on a control device while one or more storage vessels vented to the control device are storing a VOL.

(i) The storage vessel(s) storing VOL must be designed to operate above the maximum true vapor pressure of the stored VOL according to paragraph (d)(1)(i) of this section.

(ii) The control device must be isolated from the storage vessel(s) using valves(s), blind flange(s), or similar device(s) at the control device or in the closed vent system as near as practical to the control device. You may purge the control device and downstream portion of the closed vent system to remove potentially explosive vapors and create a safe work environment only after the control device is isolated from the storage vessel(s).

(iii) You must continue to comply with the bypass and pressure relief device monitoring requirements in paragraphs (d)(1)(iii), (d)(2)(ii), and (d)(2)(iii) of this section and their associated recordkeeping and reporting requirements. If there are multiple storage vessels connected to the closed vent system with significantly different pressure design limits, you must isolate individual storage vessels to prevent venting during planned maintenance.

Compliance with this paragraph (d)(7)(iii) may limit VOL addition to the storage vessel. If VOL is added to the storage vessel, there must be an approximately equivalent withdrawal of VOL such that the liquid level does not rise sufficiently to increase the pressure in the storage vessel to cause a pressure release from the storage vessel or the closed vent system.

(iv) During this routine maintenance period the affected storage vessels cannot be actively degassed. If the storage vessel is to be emptied and actively degassed, the planned maintenance activity must be conducted when the storage vessel is out of VOL service.

(e) *Requirements for storage vessel degassing.* For each storage vessel meeting the specifications in paragraph (a)(3) of this section, you must meet the requirements in paragraphs (e)(1) through (3) of this section during emptying and degassing of a storage vessel until the vapor space concentration in the storage vessel is less than 10 percent of the LEL or, for nonflammable liquids, 5,000 ppmv as methane. You must determine the LEL or methane concentration using process instrumentation or a portable measurement device and follow procedures for calibration and maintenance according to manufacturer's specifications. You must check instrument calibration and check the instrumental offset response each day the instrument is used and prior to discontinuing controlled degassing to confirm the accuracy of the instrument's readings.

(1) Remove liquids from the storage vessel as much as practicable. Chemicals or a diluent such as a distillate fuel may be introduced into the storage vessel for the purpose of reducing vapor concentration before or during active degassing.

(2) Comply with one of the following:

(i) Reduce total VOC emissions by venting emissions through a closed vent system to a flare or enclosed combustion device for which you elect to comply with the flare provisions and meet the requirements specified in paragraph (d)(5) of this section.

(ii) Reduce total VOC emissions by 98 weight percent by venting emissions through a closed vent system to any combination of non-flare control devices.

(iii) Reduce total VOC emissions by routing emissions to a fuel gas system or process and meet the requirements specified in paragraph (d)(6) of this section.

(3) For floating roof storage vessels, the storage vessel may be opened to set

up equipment (e.g., making connections to a temporary control device) for the shutdown operations but must not be actively degassed during this time period.

§ 60.113c Testing, monitoring, and inspection procedures.

For each storage vessel subject to the provision in § 60.112c(a), you must meet the requirements of paragraph (a) of this section if you installed an internal floating roof, paragraph (b) of this section if you installed an external floating roof, or paragraph (c) of this section if you route emissions through a closed vent system to a control device, fuel gas system, or process. You must also meet the applicable requirements of paragraph (d) of this section.

(a) *Requirements for an internal floating roof.* After installing the control equipment for an internal floating roof to meet the provisions in § 60.112c(b), you must meet the requirements specified in paragraphs (a)(1) through (5) of this section.

(1) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), and deck fittings prior to filling the storage vessel with VOL. Any of the conditions described in paragraphs (a)(1)(i) through (iii) of this section constitutes inspection failure. You must repair the items before filling the storage vessel.

(i) Holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric;

(ii) Defects in the internal floating roof; or

(iii) A rim seal or deck fitting control not meeting the applicable requirements in § 60.112c(b)(2) through (13).

(2) Inspect the internal floating roof as specified in paragraph (a)(2)(i) of this section at least once every 12 calendar months after initial fill, and inspect the internal floating roof as specified in paragraph (a)(2)(ii) of this section each time the storage vessel is emptied and degassed, or at a frequency no greater than every 120 calendar months, whichever occurs first.

(i) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), and deck fittings, through openings in the fixed roof and conduct LEL monitoring. Any of the conditions described in paragraphs (a)(2)(i)(A) through (F) of this section constitutes inspection failure. Identification of holes or tears in the rim seal is required only for the seal that is visible from the top of the storage vessel. You must repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections

required in this paragraph (a)(2)(i) cannot be repaired within 45 days and if the storage vessel cannot be emptied within 45 days, you may request a 30-day extension from the Administrator. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the storage vessel will be emptied as soon as possible.

(A) Stored liquid on the floating roof;

(B) The internal floating roof is not resting on the surface of the VOL inside the storage vessel;

(C) Holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric;

(D) Defects in the internal floating roof;

(E) A rim seal or deck fitting control not meeting the applicable requirements in § 60.112c(b)(2) through (13); or

(F) The concentration measured according to paragraph (a)(3) of this section exceeds 25 percent of the LEL.

(ii) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes, and sleeve seals (if any). Any of the conditions described in paragraphs (a)(2)(ii)(A) through (C) of this section constitutes an inspection failure. You must repair the items as necessary so that none of the conditions specified in this paragraph (a)(2)(ii) exist before refilling the storage vessel with VOL. The inspection may be performed entirely from the top side of the floating roof, as long as there is visual access to all deck fittings and rim seal system specified in § 60.112c(b). You must repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph (a)(2)(ii) cannot be repaired within 45 days and if the storage vessel cannot be emptied within 45 days, you may request a 30-day extension from the Administrator. Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the storage vessel will be emptied as soon as possible.

(A) Defects in the internal floating roof;

(B) Holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric; or

(C) A rim seal or deck fitting control not meeting the applicable requirements in § 60.112c(b)(2) through (13).

(3) Compliance with the LEL limit for internal floating roof storage vessels at

§ 60.112c(b)(16) must be determined based on the procedures specified in paragraphs (a)(3)(i) through (v) of this section. If tubing is necessary to obtain the measurements, the tubing must be non-crimping and made of Teflon or other inert material.

(i) You must conduct LEL monitoring as part of the annual inspection specified in paragraph (a)(2)(i) of this section and at other times upon request by the Administrator. If the measurement cannot be performed during the visual inspection due to wind speeds exceeding those specified in paragraph (a)(3)(iii)(C) of this section, the measurement must be performed within 30 days of the visual inspection. If there is an exceedance of the LEL limit, you must re-monitor in accordance with § 60.112c(b)(16) within 30 days after repair or placing the storage vessel back in service.

(ii) The calibration of the LEL meter must be checked per manufacturer specifications immediately before and after the measurements as specified in paragraphs (a)(3)(ii)(A) and (B) of this section. If tubing will be used for the measurements, the tubing must be attached during calibration so that the calibration gas travels through the entire measurement system.

(A) Conduct the span check using a calibration gas recommended by the LEL meter manufacturer. The calibration gas must contain a single hydrocarbon at a concentration of the vapor corresponding to 50 percent of the LEL (e.g., 2.50 percent by volume when using methane as the calibration gas). The vendor must provide a Certificate of Analysis for the gas, and the certified concentration must be within ± 2 percent (e.g., 2.45 percent–2.55 percent by volume when using methane as the calibration gas). The LEL span response must be between 49 percent and 51 percent. If the span check prior to the measurements does not meet this requirement, the LEL meter must be recalibrated or replaced. If the span check after the measurements does not meet this requirement, the LEL meter must be recalibrated or replaced, and the measurements must be repeated.

(B) Check the instrumental offset response using a certified compressed gas cylinder of zero air or an ambient environment that is free of organic compounds. The pre-measurement instrumental offset response must be 0 percent LEL. If the LEL meter does not meet this requirement, the LEL meter must be recalibrated or replaced.

(iii) Conduct the monitoring measurements as specified in paragraphs (a)(3)(iii)(A) through (D) of this section.

(A) Measurements of the vapors within the internal floating roof storage vessel must be collected no more than 3 feet above the internal floating roof.

(B) Measurements must be taken for a minimum of 20 minutes, logging the measurements at least once every 15 seconds, or until one 5-minute average as determined according to paragraph (a)(3)(v)(B) of this section exceeds the limit specified in § 60.112c(b)(16).

(C) Measurements shall be taken when the wind speed at the top of the storage vessel is 5 mph or less to the extent practicable, but in no case shall measurements be taken when the sustained wind speed at top of storage vessel is greater than the annual average wind speed at the site or 15 mph, whichever is less.

(D) Measurements should be conducted when the internal floating roof is floating with limited product movement (limited filling or emptying of the storage vessel).

(iv) To determine the actual concentration of the vapor within the storage vessel, the percent of the LEL “as the calibration gas” must be corrected according to one of the procedures in paragraph (a)(3)(iv)(A) or (B) of this section. Alternatively, if the LEL meter used has correction factors that can be selected from the meter’s program, you may enable this feature to automatically apply one of the correction factors in paragraph (a)(3)(iv)(A) or (B) of this section.

(A) Multiply the measurement by the published vapor correction factor for the specific LEL meter, stored VOL, and calibration gas used; or

(B) If there is no published correction factor for the specific LEL meter used and the vapors of the stored VOL, multiply the measurement by the published correction factor for butane as a surrogate for determining the LEL of the vapors of the stored VOL. The correction factor must correspond to the calibration gas used.

(v) Use the calculation procedures in paragraphs (a)(3)(v)(A) through (C) of this section to determine compliance with the LEL limit.

(A) For each minute while measurements are being taken, determine the 1-minute average reading as the arithmetic average of the corrected individual measurements (taken at least once every 15 seconds) during the minute.

(B) Starting with the end of the fifth minute of data, calculate a 5-minute rolling average as the arithmetic average of the previous five 1-minute readings determined under paragraph (a)(3)(v)(A) of this section. Determine a new 5-

minute average reading for every subsequent 1-minute reading.

(C) Each 5-minute rolling average must meet the LEL limit specified in § 60.112c(b)(16).

(4) Notify the Administrator as specified in § 60.116c(b) at least 30 days prior to the inspection of each storage vessel for which an inspection is required by paragraph (a)(1) or (a)(2)(ii) of this section to afford the Administrator the opportunity to have an observer present.

(5) You must equip each affected storage vessel that has an internal floating roof with an alarm system that provides a visual or audible signal that alerts the operator when the internal floating roof is approaching the landed height and that provides a separate visual or audible signal to alert the operator when the roof has landed. The roof is considered landed when the floating roof first rests on supports or when the vacuum breaker/automatic bleeder vent begins to open, whichever is first (for example, when using a leg-actuated vent that triggers the vent prior to resting on the roof supports).

(b) *Requirements for an external floating roof.* After installing the control equipment for an external floating roof to meet the provisions in § 60.112c(c), you must inspect the external floating roof according to the specifications in paragraphs (b)(1) through (8) of this section.

(1) Determine the gap areas and maximum gap widths, between the primary seal and the wall of the storage vessel and between the secondary seal and the wall of the storage vessel according to the frequency provided in paragraphs (b)(1)(i) and (ii) of this section. You must visually inspect all roof fittings to ensure that covers are closed and gasketed with no visible gaps and that there are no tears in sleeves, wipers, or similar controls used for a given fitting during each measurement of gaps as required under this paragraph (b)(1).

(i) Measurements of gaps between the storage vessel wall and the primary seal (seal gaps) must be performed during the hydrostatic testing of the storage vessel or within 60 days of the initial fill with VOL and at least once every 60 calendar months thereafter.

(ii) Measurements of gaps between the storage vessel wall and the secondary seal must be performed within 60 days of the initial fill with VOL and at least once every 12 calendar months thereafter.

(iii) If any source ceases to store VOL for a period of 12 calendar months or more, subsequent introduction of VOL into the storage vessel must be

considered an initial fill for the purposes of paragraphs (b)(1)(i) and (b)(1)(ii) of this section.

(2) Determine gap widths and areas in the primary and secondary seals individually by the following procedures:

(i) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof supports.

(ii) Measure seal gaps around the entire circumference of the storage vessel in each place where a 0.125-inch (0.32-centimeter (cm)) diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the storage vessel and measure the circumferential distance of each such location.

(iii) The total surface area of each gap described in paragraph (b)(2)(ii) of this section must be determined by using probes of various widths to measure accurately the actual distance from the storage vessel wall to the seal and multiplying each such width by its respective circumferential distance.

(3) Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each seal by the nominal diameter of the storage vessel and compare each ratio to the respective standards in paragraph (b)(4) of this section.

(4) Except as provided in paragraph (b)(5) of this section, make necessary repairs or empty the storage vessel within 45 days of identification in any inspection failure as specified in paragraphs (b)(4)(i) through (iii) of this section.

(i) For primary seals, any deviation of the requirements in paragraphs (b)(4)(i)(A) through (D) of this section is an inspection failure.

(A) The accumulated area of gaps between the storage vessel wall and the mechanical shoe or liquid-mounted primary seal must not exceed 10 square inches (in²) per foot of storage vessel diameter (212 square centimeters (cm²) per meter of storage vessel diameter).

(B) The maximum width of any portion of any gap must not exceed 1.5 inches (3.81 cm).

(C) If a mechanical shoe seal is used, one end of the mechanical shoe is to extend into the stored liquid, and the other end is to extend a minimum vertical distance of 2 feet (61 cm) above the stored liquid surface.

(D) There are to be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.

(ii) For secondary seals, any deviation of the requirements in paragraphs (b)(4)(ii)(A) through (D) of this section is an inspection failure.

(A) The secondary seal is to be installed above the primary seal so that it completely covers the space between the roof edge and the storage vessel wall except for allowed gaps as provided in paragraphs (b)(4)(ii)(B) and (C) of this section.

(B) The accumulated area of gaps between the storage vessel wall and the secondary seal must not exceed 1 in² per foot (21.2 cm² per meter) of storage vessel diameter.

(C) The maximum width of any portion of any gap must not exceed 0.5 inches (1.27 cm).

(D) There are to be no holes, tears, or other openings in the seal or seal fabric.

(iii) For roof fittings (e.g., vacuum breaker/automatic bleeder vents and rim vents, gauge hatch/sample wells, access hatches, guidepoles, ladders, and emergency roof drains), any deviation of the requirements in paragraphs (b)(4)(iii)(A) through (D) of this section is an inspection failure.

(A) Each opening in an external floating roof except for vacuum breaker/automatic bleeder vents and the rim vents provides a projection below the liquid surface.

(B) Vacuum breaker/automatic bleeder vents and rim vents are equipped with a gasket and are closed with no visible gaps when the roof is floating.

(C) The gauge hatch/sample well, access hatch, and gauge float must have a gasketed cover and closed with no visible gaps.

(D) There are to be no tears or visible defects of sleeves, wipers, or fabric covers used to control emissions from a roof fitting.

(5) If a failure that is detected as specified in paragraph (b)(4) of this section cannot be repaired within 45 days and if the storage vessel cannot be emptied within 45 days, you may request a 30-day extension from the Administrator. Such extension request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control equipment will be repaired or the storage vessel will be emptied as soon as possible.

(6) Notify the Administrator, as specified in § 60.116c(b)(2), 30 days in advance of any gap measurements required by paragraph (b)(1) of this section to afford the Administrator the opportunity to have an observer present.

(7) Visually inspect the external floating roof, primary seal, secondary seal, and fittings each time the vessel is emptied and degassed.

(i) If the external floating roof has defects, the primary seal has holes,

tears, or other openings in the seal or the seal fabric, the secondary seal has holes, tears, or other openings in the seal or the seal fabric, covers have visible openings or missing or torn gaskets, or there are tears or other visible defects in flexible covers, sleeves, wipers, or other fitting controls, you must repair the items as necessary so that none of the conditions specified in this paragraph (b)(7)(i) exist before filling or refilling the storage vessel with VOL.

(ii) For each inspection required by paragraph (b)(7) of this section, notify the Administrator as specified in § 60.116c(b)(1) at least 30 days prior to the inspection of each storage vessel to afford the Administrator the opportunity to inspect the storage vessel.

(8) You must equip each affected storage vessel that has an external floating roof with an alarm system that provides a visual or audible signal that alerts the operator when the external floating roof is approaching the landed height and that provides a separate visual or audible signal to alert the operator when the roof has landed. The roof is considered landed when the floating roof first rests on supports or when the vacuum breaker/automatic bleeder vent begins to open, whichever is first (for example, when using a leg-actuated vent that triggers the vent prior to resting on the roof supports).

(c) *Requirements for closed vent systems routed to a control device, fuel gas system, or process.* For each source that is equipped with a closed vent system and routes to a control device, fuel gas system, or process to meet the requirements in § 60.112c(d), you must conduct performance testing and monitoring of the control device as specified in paragraph (c)(1) of this section, conduct monitoring and inspections of the closed vent system as specified in paragraph (c)(2) of this section, repair leaks as specified in paragraph (c)(3) of this section, and develop a monitoring plan as specified in paragraph (c)(4) of this section.

(1) For each control device used to meet the requirements in § 60.112c(d), you must comply with the requirements in paragraphs (c)(1)(i) through (iv) of this section, as applicable.

(i) For each enclosed combustion device or flare, you must install, calibrate, maintain, and operate a backpressure regulator valve calibrated to open at the minimum pressure set point corresponding to the minimum inlet gas flow rate. The set point must be consistent with manufacturer specifications for minimum flow or pressure and must be supported by an

engineering evaluation. At least annually, you must confirm that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications and that the valve fully closes when not in the open position.

(ii) For each control device other than a flare, except as specified in paragraph (c)(1)(iii) of this section, you must conduct a performance test as specified in paragraphs (c)(1)(ii)(A) through (E) of this section not later than 180 days after becoming subject to § 60.112c(d). You must conduct subsequent performance tests within 60 calendar months after each previous performance test. Submit the results of all performance tests following the procedures in § 60.116c(e).

(A) Each performance test must demonstrate that the control device achieves greater than or equal to the required control device performance level specified in § 60.112c(d)(3). Performance tests must be conducted under such conditions as the Administrator specifies based on representative performance of the affected source for the period being tested. You may not conduct performance tests during periods of malfunction. You must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent the entire range of normal operation, including operational conditions for maximum emissions if such emissions are not expected during maximum production. You must make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(B) You must conduct a minimum of three test runs. Each test run must be at least 1 hour long.

(C) The following methods in appendix A to this part, except as provided in § 60.8(b), must be used as reference methods to determine compliance with the percent reduction requirement.

(1) Method 1 or 1A of appendix A–1 to this part, as appropriate, for selection of the sampling sites. Sampling sites must be located at the inlet of the first control device and at the outlet of the final control device to determine compliance with a control device percent reduction requirement.

(2) Method 2, 2A, 2C, or 2D of appendix A–1 to this part, as appropriate to determine the gas volumetric flow rate.

(3) Method 25A of appendix A–7 to this part. Use propane as the calibration gas. You must use Method 4 of appendix A–3 to this part to convert the Method 25A of appendix A–7 results to a dry basis.

(D) You must use the procedures in paragraphs (c)(1)(ii)(D)(1) and (2) of this section to calculate percent reduction efficiency.

(1) You must compute the mass rate of TOC using the following equations:

$$E_i = K_2 C_i M_p Q_i \\ E_o = K_2 C_o M_p Q_o$$

Equations 1 and 2 to Paragraph (c)(1)(ii)(D)(1)

Where:

E_i , E_o = Mass rate of TOC at the inlet and outlet of the control device, respectively, dry basis, kilograms per hour.

K_2 = Constant, 2.494×10^{-6} (parts per million) (gram-mole per standard cubic meter) (kilogram/gram) (minute/hour), where standard temperature (gram-mole per standard cubic meter) is 20 degrees Celsius.

C_i , C_o = Concentration of TOC, as propane, of the gas stream as measured by Method 25A of appendix A–7 to this part at the inlet and outlet of the control device, respectively, dry basis, parts per million by volume.

M_p = Molecular weight of propane, 44.1 gram/gram-mole.

Q_i , Q_o = Flowrate of gas stream at the inlet and outlet of the control device, respectively, dry standard cubic meter per minute.

(2) You must calculate the percent reduction in TOC as follows:

$$R_{cd} = \frac{E_i - E_o}{E_i} \times 100\%$$

Equation 3 to Paragraph (c)(1)(ii)(D)(2)

Where:

R_{cd} = Control efficiency of control device, percent.

E_i = Mass rate of TOC at the inlet to the control device as calculated under paragraph (c)(1)(ii)(D)(1) of this section, kilograms per hour.

E_o = Mass rate of TOC at the outlet of the control device, as calculated under paragraph (c)(1)(ii)(D)(1) of this section, kilograms per hour.

(E) Except as provided in paragraph (c)(1)(ii)(E)(5) of this section, you must establish the applicable operating parameter limit as specified in paragraphs (c)(1)(ii)(E)(1) through (3) of this section by calculating the value(s) as the arithmetic average of operating parameter measurements recorded during the three test runs conducted for the most recent performance test (the average of the test run averages). You may operate outside of the established operating parameter limit(s) during

subsequent performance tests in order to establish new operating limits. You must include the updated operating limits with the performance test results submitted to the Administrator pursuant to § 60.116c(e). Upon establishment of a new operating limit, you must thereafter operate under the new operating limit. You must demonstrate compliance with your operating parameter according to paragraph (c)(1)(ii)(E)(4) of this section.

(1) If you use an enclosed combustion device, a boiler, or a process heater other than those specified in paragraph (c)(1)(iii) of this section to control emissions, you must set a minimum firebox temperature limit during the performance test. You must continuously monitor the firebox temperature with a temperature monitoring device installed in the firebox or in the ductwork immediately downstream from the firebox in a position before any substantial heat exchange occurs and equipped with a continuous recorder that records a reading at least once every 15 minutes. The monitoring device must have a minimum accuracy of ± 1 percent of the temperature being monitored in degrees Celsius, or ± 2.5 degrees Celsius, whichever value is greater.

(2) If you use a catalytic incinerator other than those specified in paragraph (c)(1)(iii) of this section to control emissions, you must set a minimum temperature limit on the temperature at the inlet of the catalyst bed and a minimum temperature limit on the temperature difference between the catalyst bed outlet and inlet. You must continuously monitor the temperatures with a temperature monitoring device equipped with a continuous recorder that records a reading at least once every 15 minutes. The device must be capable of monitoring temperature at two locations and have a minimum accuracy of ± 1 percent of the temperature being monitored in degrees Celsius, or ± 2.5 degrees Celsius, whichever value is greater. You must install one temperature sensor in the vent stream at the nearest feasible point to the catalyst bed inlet, and you must install a second temperature sensor in the vent stream at the nearest feasible point to the catalyst bed outlet. You must install the temperature sensor at a location representative of the firebox temperature.

(3) If you use a control device other than a flare or other than a device listed in paragraphs (c)(1)(ii)(E)(1), (c)(1)(ii)(E)(2), (c)(1)(ii)(E)(5), or (c)(1)(iii) to control emissions, you must submit the operating parameters you plan to monitor in the performance test

notice you provide to the Administrator pursuant to § 60.8(d).

(4) Using the continuous monitoring system (CMS) data, you must calculate the hourly average of each operating parameter. You must demonstrate compliance by maintaining the operating parameter at or above the minimum operating parameter limit on a 3-hour rolling average basis. For each hour, calculate the hourly value of the operating parameter from your CMS. Average the three most recent hours of data to determine the 3-hour average. Determine the 3-hour rolling average by recalculating the 3-hour average each hour. You must not include periods of data collected during monitoring system breakdowns, repairs, maintenance periods, instrument adjustments, or checks to maintain precision and accuracy in the operating parameter averages.

(5) For enclosed combustion devices for which you elect to comply with the flare requirements in § 60.112c(d)(5), you must comply with the monitoring provisions in paragraph (c)(1)(iv) of this section instead of paragraphs (c)(1)(i)(E)(1) through (4) of this section.

(iii) No performance test is required for the control devices identified in paragraphs (c)(1)(iii)(A) through (C) of this section.

(A) A boiler or process heater with a design heat input capacity of 44 megawatts (150 million British thermal units per hour) or greater.

(B) A boiler or process heater into which the vent stream is introduced with the primary fuel.

(C) A boiler, process heater, or incinerator burning hazardous waste, which is regulated under 40 CFR part 63, subpart EEE; part 264; part 265; or part 266.

(iv) For each source that is equipped with a closed vent system and a flare to meet the requirements in § 60.112c(d) or enclosed combustion device electing to comply with the requirements in § 60.112c(d)(5), you must conduct visible emission observations as specified in paragraph (c)(1)(iv)(A) of this section and install, operate, and maintain CMS for flares following the requirements specified in 40 CFR 63.671 and as specified in paragraphs (c)(1)(iv)(B) and (C) of this section.

(A) If visible emissions are observed for more than 1 continuous minute during normal duties, visible emissions observation using Method 22 of appendix A-7 to this part must be conducted for 2 hours or until 5-minutes of visible emissions are observed.

(B) Substitute "pilot flame or flare flame" for each occurrence of "pilot flame."

(C) As an alternative to determining the flare tip velocity rate for each 15-minute block to determine compliance with the flare tip velocity operating limit as specified in 40 CFR 63.670(k)(2), you may elect to conduct a one-time flare tip velocity operating limit compliance assessment as provided in paragraphs (c)(1)(iv)(C)(1) through (4) of this section. If the flare or storage vessel control configurations change (e.g., flare tip modified or additional storage vessel or other sources are added for which vapors are directed to the flare), you must repeat this one-time assessment based on the new configuration.

(1) Determine the unobstructed cross-sectional area of the flare tip, in units of square feet, as specified in 40 CFR 63.670(k)(1).

(2) Determine the maximum flow rate, in units of cubic feet per second, based on the maximum cumulative loading rate for a 15-minute block period considering maximum filling rates for all storage vessel affected facilities controlled by the flare and, if applicable, considering the maximum release pressure of any other vapors directed to the flare.

(3) Calculate the maximum flare tip velocity as the maximum flow rate from paragraph (c)(1)(iv)(C)(2) of this section divided by the unobstructed cross-sectional area of the flare tip from paragraph (c)(1)(iv)(C)(1) of this section.

(4) Demonstrate that the maximum flare tip velocity as calculated in paragraph (c)(1)(iv)(C)(3) of this section is less than 60 feet per second.

(2) For each closed vent system, you must conduct the instrument monitoring in paragraphs (c)(2)(i) through (iii) of this section. You must conduct the initial instrument monitoring within 180 days of an affected facility being connected to the closed vent system. Subsequent instrument inspections must be conducted within 365 days of the previous inspection. Visual, audible, and olfactory inspections must be conducted quarterly.

(i) Conduct instrument monitoring using the procedures in Method 21 of appendix A-7 to this part. The detection instrument must meet the performance criteria of Method 21 of appendix A-7, except that the instrument response factor criteria in section 8.1.1 of Method 21 of appendix A-7 must be for the average composition of the fluid and not for each individual organic compound in the stream. For streams that contain nitrogen, air, water, or other inerts that

are not organic VOC, the representative stream response factor must be determined on an inert-free basis. The instrument reading that defines a leak is 500 ppmv (as methane). The instrument shall be calibrated before use each day of its use by the procedures specified in Method 21 of appendix A-7. The calibration gases in paragraphs (c)(2)(i)(A) and (B) of this section must be used. The drift assessment specified in paragraph (c)(2)(i)(C) of this section must be performed at the end of each monitoring day.

(A) Zero air (less than 10 ppm of hydrocarbon in air).

(B) A mixture of methane in air at a concentration of approximately 500 ppmv.

(C) At the end of each monitoring day, check the instrument using the same calibration gas that was used to calibrate the instrument before use. Follow the procedures specified in Method 21 of appendix A-7 to this part, section 10.1, except do not adjust the meter readout to correspond to the calibration gas value. If multiple scales are used, record the instrument reading for each scale used. Divide the arithmetic difference of the initial and post-test calibration response by the corresponding calibration gas value for each scale and multiply by 100 to express the calibration drift as a percentage. If a calibration drift assessment shows a negative drift of more than 10 percent, then re-monitor all equipment monitored since the last calibration with instrument readings between the leak definition and the leak definition multiplied by (100 minus the percent of negative drift) divided by 100. If any calibration drift assessment shows a positive drift of more than 10 percent from the initial calibration value, then, at the owner/operator's discretion, all equipment with instrument readings above the leak definition and below the leak definition multiplied by (100 plus the percent of positive drift) divided by 100 monitored since the last calibration may be re-monitored.

(ii) Any parts of the closed vent system that are designated as unsafe to inspect are exempt from the inspection requirements of paragraph (c)(2)(i) of this section if the conditions of paragraphs (c)(2)(ii)(A) and (B) of this section are met.

(A) The owner or operator determines that the equipment is unsafe-to-inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with paragraph (c)(2)(i) of this section; and

(B) The owner or operator has a written plan that requires inspection of

the equipment as frequently as practical during safe-to-inspect times. Inspection is not required more than once annually.

(iii) Any parts of the closed vent system that are designated as difficult-to-inspect are exempt from the inspection requirements of paragraph (c)(2)(i) of this section if the provisions of paragraphs (c)(2)(iii)(A) and (B) of this section apply.

(A) The owner or operator determines that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters (7 feet) above a support surface; and

(B) The owner or operator has a written plan that requires inspection of the equipment at least once every 60 calendar months.

(3) Leaks, as indicated by an instrument reading greater than 500 ppmv or emissions detected by visible, audible, and olfactory methods, shall be repaired as soon as practical following the requirements outlined in paragraphs (c)(3)(i) and (ii) of this section.

(i) Except as allowed by paragraph (c)(3)(ii) of this section, a first attempt at repair shall be made no later than 5 days after the leak is detected. Repairs shall be completed no later than 15 days after the leak is detected or at the beginning of the next introduction of vapors to the system, whichever is later.

(ii) Delay of repair of a closed vent system for which leaks have been detected is allowed if repair within 15 days after a leak is detected is technically infeasible or unsafe or if the owner or operator determines that emissions resulting from immediate repair would be greater than the emissions likely to result from delay of repair. Repair of such equipment shall be completed as soon as practical.

(4) You must develop a monitoring plan that covers each CMS used to demonstrate continuous compliance for your control device as outlined in paragraphs (c)(4)(i) and (ii) of this section. You must install, calibrate, operate, and maintain each CMS in accordance with the procedures in your monitoring plan.

(i) For each control device other than those specified in paragraph (c)(4)(ii) of this section, your monitoring plan must contain the information required in paragraphs (c)(4)(i)(A) through (G) of this section.

(A) The parameter to be monitored and the operating limit for the parameter.

(B) Sampling interface (e.g., thermocouple) location such that the monitoring system will provide representative measurements.

(C) Description of the monitoring system specifications, including the detector signal analyzer, data acquisition, and calculations.

(D) Equipment performance checks, system accuracy audits, or other audit procedures, including the information in paragraphs (c)(4)(i)(D)(1) through (4) of this section.

(1) You must conduct the CMS equipment performance checks, system accuracy audits, or other audit procedures specified in the monitoring plan at least once every 12 calendar months.

(2) You must also conduct calibration checks following any period of more than 24 hours throughout which the sensor exceeded the manufacturer's specified maximum range unless you install a new sensor.

(3) At least quarterly, you must inspect all components for integrity and all electrical connections for continuity, oxidation, and galvanic corrosion, unless you use a redundant CMS.

(4) Daily checks for indications that the system is responding.

(E) Description of how periods of data collected during CMS breakdowns, out-of-control periods, repairs, maintenance periods, instrument adjustments, or checks to maintain precision and accuracy, calibration checks, and zero (low-level), mid-level (if applicable), and high-level adjustments will be excluded from operating parameter averages.

(F) Ongoing operation and maintenance procedures.

(G) Ongoing recordkeeping procedures.

(ii) For each flare or enclosed combustion device for which you elect to comply with the flare provisions in § 60.112c(d)(5), your monitoring plan must contain the information required by 40 CFR 63.671(b).

(d) *Requirements for determining maximum true vapor pressure.* For each affected storage vessel, you must determine the maximum true vapor pressure of the stored VOL according to the requirements specified in paragraphs (d)(1) and (2) of this section. For storage vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For storage vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.

(1) Prior to the initial filling of the storage vessel or to the refilling of the

storage vessel with a new VOL, the highest maximum true vapor pressure for the range of anticipated liquids to be stored, including mixtures for which you can define the range of concentrations for constituents in the mixture or with a known maximum Reid vapor pressure, must be determined using any one of the methods described in paragraphs (d)(1)(i) through (iv) of this section.

(i) As obtained from standard reference texts.

(ii) ASTM D6377–20 (incorporated by reference; see § 60.17). Perform the method using a vapor-to-liquid ratio of 4:1, which is expressed in the method as VPCR.

(iii) ASTM D6378–22 (incorporated by reference; see § 60.17). Perform the method using a vapor-to-liquid ratio of 4:1.

(iv) As measured by an appropriate method as approved by the Administrator.

(2) For each affected storage vessel storing a mixture of indeterminate composition or a mixture of unknown variable composition, the initial determination of the vapor pressure required by paragraph (d)(1) of this section must be a physical test using one of the methods specified in paragraphs (d)(1)(ii) through (iv) of this section. Additional physical tests using one of the methods specified in paragraphs (d)(1)(ii) through (iv) of this section are required at least once every 6 calendar months thereafter as long as the measured vapor pressure remains below the applicable thresholds in § 60.110c(c)(1), (c)(2), (d)(1), or (d)(2). If the vapor pressure measured under this paragraph (d)(2) exceeds the threshold defined in § 60.110c(c)(1), (c)(2), (d)(1), or (d)(2) you must meet the requirements in § 60.112c and the corresponding requirements in §§ 60.113c through 60.116c. If the storage vessel does not have controls meeting the requirements in § 60.112c, the storage vessel must be emptied and taken out of service until controls meeting the requirements in § 60.112c can be installed. Upon compliance with the provisions in § 60.112c, no additional vapor pressure monitoring is required.

§ 60.114c Alternative means of emission limitation.

(a) If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in emissions at least equivalent to the reduction in emissions achieved by the applicable requirement in § 60.112c, the Administrator will publish in the **Federal Register** a

document permitting the use of the alternative means for purposes of compliance with that requirement.

(b) Any document under paragraph (a) of this section will be published only after notice and an opportunity for a hearing.

(c) Any person seeking permission under this section must submit to the Administrator a written application including either:

(1) An actual emissions test that uses a full-sized or scale-model storage vessel that accurately collects and measures all VOC emissions from a given control device and that accurately simulates wind and accounts for other emission variables such as temperature and barometric pressure; or

(2) An engineering evaluation that the Administrator determines is an accurate method of determining equivalence.

(d) The Administrator may condition the permission on requirements that may be necessary to ensure operation and maintenance to achieve the same emission reduction as specified in § 60.112c.

§ 60.115c Recordkeeping requirements.

(a) Except as otherwise specified in paragraphs (b) through (d) of this section, you must keep copies of all records required by this section and all reports required under § 60.116c for at least 5 years.

(b) For each storage vessel affected facility as specified in § 60.110c(a), you must keep readily accessible records for the life of the source showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.

(c) Except as provided in paragraphs (c)(1) and (2) of this section, for each storage vessel affected facility under this subpart, you must maintain a record of the VOL currently stored, including a description of the VOL stored, the date when the VOL was first stored in the storage vessel, and the maximum true vapor pressure of that VOL.

(1) For each vessel storing a mixture of indeterminate or variable composition that meets the requirements for vapor pressure measurement at least once every 6 calendar months in § 60.113c(d), you must maintain records of each vapor pressure measurement for 5 years.

(2) Each vessel equipped with a closed vent system routed to a control device, fuel gas system, or process meeting the specification of § 60.112c(d) is exempt from the requirements of paragraph (c) of this section.

(d) For each storage vessel as specified in § 60.112c(a), you must keep records as required in paragraphs (d)(1)

through (5) of this section, as applicable depending upon the control equipment installed to meet the requirements of § 60.112c.

(1) After installing control equipment for an internal floating roof to meet the provisions in § 60.112c(b), you must keep the following records.

(i) Keep a record of each inspection performed as required by § 60.113c(a)(1), (a)(2)(i), and (a)(2)(ii). Each record must identify the storage vessel on which the inspection was performed and must contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

(ii) For each LEL monitoring event, keep records as specified in paragraphs (a)(1)(ii)(A) through (I) of this section.

(A) Date and time of the LEL monitoring, and the storage vessel being monitored.

(B) A description of the monitoring event (annual monitoring conducted concurrent with visual inspection required under § 60.113c(a)(2)(i); re-monitoring due to high winds during annual monitoring; re-monitoring after repair attempt; other monitoring event as required by the Administrator).

(C) Wind speed at the top of the storage vessel on the date of LEL monitoring.

(D) The LEL meter manufacturer and model number used, as well as an indication of whether tubing was used during the LEL monitoring, and if so, the type and length of tubing used.

(E) Calibration checks conducted before and after making the measurements, including both the span check and instrumental offset. This includes the hydrocarbon used as the calibration gas, the Certificate of Analysis for the calibration gas(es), the results of the calibration check, and any corrective action for calibration checks that do not meet the required response.

(F) Location of the measurements and the location of the floating roof.

(G) Each measurement (taken at least once every 15 seconds). The records should indicate whether the recorded values were automatically corrected using the meter's programming. If the values were not automatically corrected, record both the raw (as the calibration gas) and corrected measurements, as well as the correction factor used.

(H) Each of the 5-minute rolling average readings.

(I) If the vapor concentration of the storage vessel was above 25 percent of the LEL on a 5-minute rolling average basis, a description of whether the floating roof was repaired, replaced, or taken out of service.

(2) After installing control equipment for an external floating roof to meet the provisions in § 60.112c(c), you must keep a record of each inspection and gap measurement performed as required by § 60.113c(b). The record must contain:

(i) Identification of the storage vessel on which the inspection was performed;

(ii) The date the storage vessel was inspected;

(iii) The type of inspection [inspection with gap measurements as specified in § 60.113c(b)(1) through (4); visual inspection as specified in § 60.113c(b)(7)];

(iv) The observed condition of each component of the control equipment (seals, internal floating roof, and fittings); and

(v) For each inspection with gap measurements as specified in § 60.113c(b)(1) through (4):

(A) The raw data obtained in the measurement; and

(B) The calculations described in § 60.113c(b)(2) and (b)(3).

(3) After installing a closed vent system routed to a control device, fuel gas system, or process to comply with the provisions in § 60.112c(d), you must keep the following records, as well as the records in paragraph (d)(4) or (5) of this section, as applicable.

(i) The make and model of the backpressure regulator valve, date of installation, and inlet flow rating. Maintain records of the engineering evaluation and manufacturer specifications that identify the pressure set point corresponding to the minimum inlet gas flow rate, the annual confirmation that the backpressure regulator valve set point is correct and consistent with the engineering evaluation and manufacturer specifications, and the annual confirmation that the backpressure regulator valve fully closes when not in open position.

(ii) The CMS monitoring plan required by § 60.113c(c)(4), if the closed vent system is routed to a control device. Retain this plan for the life of the control equipment.

(iii) Monitoring for the closed vent system conducted under § 60.113c(c)(2), including the date of inspection.

(iv) The written plan(s) required under § 60.113c(c)(2)(ii) and (iii) for unsafe-to-inspect and difficult-to-inspect portions of the closed vent system.

(v) For each leak detected during the monitoring conducted under § 60.113c(c)(2) and (3), you must record: the date the leak was detected; the location of the leak; the method used to detect the leak (Method 21 of appendix

A-7 to this part or visible, audible, and olfactory methods); and the maximum concentration reading obtained by Method 21 of appendix A-7, if applicable. For each repair attempt, you must record: the date of each repair attempt; the actions taken to repair the leak during each repair attempt; and date the repair was completed. If the repair is delayed, you must record the reason for the delay and the date you expect to complete the repair.

(vi) For each bypass line, maintain a record of the following, as applicable: readings from the flow indicator; each inspection of the seal or closure mechanism; the date and time of each instance when the seal mechanism is broken, the bypass line valve position has changed, or the key for a lock-and-key type lock has been checked out.

(vii) For each pressure relief device or vacuum breaking device on a storage vessel or closed vent system required to be monitored according to § 60.112c(d)(1)(iii) or (d)(2)(iii): the device type; the monitoring device or system used for the device; data from the device or system indicating whether a pressure release occurred; and the date, time, and duration of each pressure release, if applicable.

(4) After installing a closed vent system routed to a control device other than a flare or enclosed combustion device electing to comply with § 60.112c(d), you must keep the following records.

(i) Each performance test.

(ii) All CMS performance checks, audits, maintenance, and repairs.

(iii) The hourly values recorded by the CMS and all 3-hour rolling averages.

(iv) The periods when the CMS is not operational.

(5) After installing a closed vent system routed to a flare to comply with § 60.112c(d) or an enclosed combustion device for which you elected to comply with § 60.112c(d)(5), you must keep the following records.

(i) Pilot flame or flare flame monitoring as specified in paragraphs (d)(5)(i)(A) and (B) of this section.

(A) The output of the monitoring device used to detect the presence of a pilot flame as required in 40 CFR 63.670(b). Retain these records for a minimum of 2 years.

(B) Each 15-minute block during which there was at least 1 minute that no pilot flame was present when VOL vapors were routed to the flare. Each record must identify the start and end time and date of each 15-minute block.

(ii) Visible emissions observations as specified in paragraphs (d)(5)(ii)(A) through (B) of this section, as applicable.

(A) If visible emissions observations are performed using Method 22 of appendix A-7 to this part, the record must identify the date, the start and end time of the visible emissions observation, and the number of minutes for which visible emissions were observed during the observation. If the owner or operator performs visible emissions observations more than one time during a day, include separate records for each visible emissions observation performed.

(B) For each 2-hour period for which visible emissions are observed for more than 5 minutes in 2 consecutive hours but visible emissions observations according to Method 22 of appendix A-7 to this part were not conducted for the full 2-hour period, the record must include the date, the start and end time of the visible emissions observation, and an estimate of the cumulative number of minutes in the 2-hour period for which emissions were visible based on best information available to the owner or operator.

(iii) Each 15-minute block period during which operating values are outside of the applicable operating limits specified in 40 CFR 63.670(d) through (f) when vapors from a storage vessel affected facility are directed to the flare for at least 15-minutes identifying each specific operating limit that was not met.

(iv) The 15-minute block average cumulative flows for the enclosed combustion device vent gas or flare vent gas and, if applicable, total steam, perimeter assist air, and premix assist air specified to be monitored under 40 CFR 63.670(i), along with the date and start and end time for the 15-minute block. If multiple monitoring locations are used to determine cumulative vent gas flow, total steam, perimeter assist air, and premix assist air, retain records of the 15-minute block average flows for each monitoring location for a minimum of 2 years, and retain the 15-minute block average cumulative flows that are used in subsequent calculations for a minimum of 5 years. If pressure and temperature monitoring is used, retain records of the 15-minute block average temperature, pressure and molecular weight of the flare vent gas, enclosed combustion device vent gas, or assist gas stream for each measurement location used to determine the 15-minute block average cumulative flows for a minimum of 2 years, and retain the 15-minute block average cumulative flows that are used in subsequent calculations for a minimum of 5 years.

(v) The flare vent gas or enclosed combustion device vent gas compositions specified to be monitored

under 40 CFR 63.670(j). Retain records of individual component concentrations from each compositional analyses for a minimum of 2 years. If an NHV_{vg} analyzer is used, retain records of the 15-minute block average values for a minimum of 5 years, as well as records of quality assurance activities conducted on the analyzer and any cylinder gas certificates. If you demonstrate your gas streams have consistent composition using the provisions in 40 CFR 63.670(j)(6), retain records of the current application for which you are using for as long as you use the fixed NHV_{vg} as determined using the provisions in 40 CFR 63.670(j)(6).

(vi) Each 15-minute block average operating parameter calculated following the methods specified in 40 CFR 63.670(k) through (n), as applicable.

(vii) All periods during which you did not perform monitoring according to the procedures in 40 CFR 63.670(g), (i), and (j) as applicable. Note the start date, start time, and duration in minutes for each period.

(viii) If you conduct a one-time flare tip velocity operating limit compliance assessment according to § 60.113c(c)(1)(iv)(C), a copy of the assessment, including all calculations for as long as you use this compliance method.

(ix) For each parameter monitored using a CMS, retain the records specified in paragraphs (d)(5)(ix)(A) through (C) of this section, as applicable:

(A) For each deviation, record the start date and time, duration, cause, and corrective action taken.

(B) For each period when there is a CMS outage or the CMS is out of control, record the start date and time, duration, cause, and corrective action taken.

(C) Each inspection or calibration of the CMS including a unique identifier, make, and model number of the CMS, and date of calibration check.

(x) For an enclosed combustion device for which you elected to comply with § 60.112c(d)(5), you must also keep a copy of each performance test.

(e) If you are required to meet the degassing requirements in § 60.112c(a)(3), you must maintain records necessary to demonstrate compliance with the requirements in § 60.112c(e) including, if appropriate, records of existing standard site procedures used to empty and degas (deinventory) equipment for safety purposes.

§ 60.116c Reporting requirements.

(a) *Initial notification requirements.* You must submit initial notifications to the Administrator within 60 days after October 15, 2024 or within 60 days after becoming an affected storage vessel, whichever is later. Once the report template for this subpart has been available on the Compliance and Emissions Data Reporting Interface (CEDRI) website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for 1 year, you must submit all subsequent initial notifications using the appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in paragraph (f) of this section. The date report templates become available will be listed on the CEDRI website. For each storage vessel affected facility subject to the standards in § 60.112c, include the following information in the initial notification:

(1) The following general facility information:

- (i) Facility name;
- (ii) Facility physical address, including city, county, State, and zip code;
- (iii) Latitude and longitude of facility's physical location. Coordinates must be in decimal degrees with at least five decimal places; and
- (iv) The following information for the facility contact person:

- (A) Name;
- (B) Mailing address, including city, county, State, and zip code;
- (C) Telephone number; and
- (D) Email address.

(2) Identification of the storage vessel(s) subject to this subpart.

(3) Capacity (in gallons) of each storage vessel.

(4) Maximum true vapor pressure of the liquid stored (in psia) in each storage vessel.

(5) Indication of the standards for which the storage vessel complies [§§ 60.112c(b); 60.112c(c); 60.112c(d); 60.112c(e)].

(6) If you route emissions to a control device, specify the design of the storage vessel and closed vent system (*i.e.*, storage vessel designed according to § 60.112c(d)(1)(i); or closed vent system designed according to § 60.112c(d)(1)(ii)), the type of control device (*i.e.*, enclosed combustion device complying with temperature operating limit; enclosed combustion device electing to comply with § 60.112c(d)(5); process heater or boiler; catalytic incinerator; flare, or other control device (specify)).

(7) If you route emissions to a process, submit the information specified in § 60.112c(d)(6)(ii) and (iii).

(8) If you route emissions to a fuel gas system, as specified in § 60.112c(d)(6)(iv), submit a statement that the emission stream is connected to the fuel gas system.

(b) *Other notifications.* Submit notifications for filling and refilling an affected storage vessel and for conducting gap measurements as specified in paragraphs (b)(1) and (2) of this section.

(1) As specified in § 60.113c(a)(4) and (b)(7)(ii), you must notify the Administrator at least 30 days prior to inspection of each storage vessel for which an inspection is required by § 60.113c(a)(1), (a)(2)(ii) or (b)(7) to afford the Administrator the opportunity to have an observer present. Submit the notification using CEDRI as specified in paragraph (f) of this section. If the inspection required by § 60.113c(a)(2)(ii) or (b)(7) is not planned and you could not have known about the inspection 30 days in advance of refilling the storage vessel, you must notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation using CEDRI demonstrating why the inspection was unplanned.

(2) As specified in § 60.113c(b)(6), you must notify the Administrator 30 days in advance of any gap measurements required by § 60.113c(b)(1) to afford the Administrator the opportunity to have an observer present. Submit the notification using CEDRI as specified in paragraph (f) of this section. If the inspection required by § 60.113c(b)(1) is not planned and you could not have known about the inspection 30 days in advance of the gap measurement, you must notify the Administrator at least 7 days prior to the conducting the gap measurement. Notification must be made by telephone immediately followed by written documentation using CEDRI demonstrating why the gap measurement was unplanned.

(c) *Reporting requirements for semiannual report.* You must submit to the Administrator semiannual reports with the applicable information in paragraphs (c)(1) through (12) of this section by the dates specified in paragraph (d) of this section. For this subpart, the semiannual reports supersede the excess emissions and monitoring systems performance report and/or summary report form required under § 60.7. Once the report template for this subpart has been available on the CEDRI website (<https://www.epa.gov/electronic-reporting-air-emissions/cedri>) for 1 year, you must submit all subsequent reports using the

appropriate electronic report template on the CEDRI website for this subpart and following the procedure specified in paragraph (f) of this section. The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated State agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted.

(1) Report the following general facility information:

- (i) Facility name;
- (ii) Facility physical address, including city, county, and State;
- (iii) Latitude and longitude of facility's physical location. Coordinates must be in decimal degrees with at least five decimal places;
- (iv) The following information for the facility contact person:

- (A) Name;
- (B) Mailing address;
- (C) Telephone number; and
- (D) Email address.

(v) Date of report and beginning and ending dates of the reporting period. You are no longer required to provide the date of report when the report is submitted via CEDRI; and

(vi) 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. If your report is submitted via CEDRI, the certifier's electronic signature during the submission process replaces the requirement in this paragraph (c)(1)(vi).

(2) For storage vessels complying with the provisions of § 60.112c(b) or (c):

- (i) Identification of the storage vessel and an indication of whether you comply with § 60.112c(b) or (c).

- (ii) An indication whether the storage vessel was inspected during the reporting period, and if so, the date and type of each inspection conducted during the reporting period [the type of inspection shall be selected from the following list: initial IFR inspection according to § 60.113c(a)(1), IFR visual inspection from fixed roof according to § 60.113c(a)(2)(i), combined IFR visual inspection with LEL monitoring according to § 60.113c(a)(2)(i) and (3), internal IFR inspection according to § 60.113c(a)(2)(ii), IFR LEL monitoring according to § 60.113c(a)(3), EFR gap measurements according to § 60.113c(b)(1) through (4), or visual EFR inspection according to § 60.113c(b)(7)].

- (iii) For storage vessels complying with the provisions of § 60.112c(b) that were not inspected according to

§ 60.113c(a)(2)(ii) during the reporting period, report the last date the storage vessel was inspected according to the provisions in § 60.113c(a)(2)(ii).

(3) For each failure of a visual inspection required under § 60.113c(a)(2)(i), report the information in paragraphs (c)(3)(i) through (iii) of this section. For each failure of LEL monitoring required under § 60.113c(a)(3), report the information in paragraphs (c)(3)(i) through (iv) of this section.

(i) Identification of the storage vessel;
(ii) The date of the inspection;
(iii) The nature of the defects; and
(iv) The following information regarding the LEL monitoring conducted:

(A) Date and start and end times of the LEL monitoring conducted.

(B) Wind speed in miles per hour at the top of the storage vessel on the date of LEL monitoring.

(C) The highest 5-minute rolling average reading during the monitoring event.

(D) If re-monitoring was required due to excessive wind or repair during the visual inspection, report the information in paragraphs (b)(3)(iv)(A) through (C) of this section for the re-monitoring event.

(E) Whether the floating roof was repaired, replaced, or taken out of VOL service. If the storage vessel was taken out of VOL service, report the date the storage vessel was emptied. If the floating roof was replaced or repaired, report the nature of and date the repair was made and the information in paragraphs (b)(3)(iv)(A) through (C) of this section for each re-monitoring conducted to confirm the repair.

(4) For each inspection required by § 60.113c(a)(2)(ii) that finds holes or tears in the seal or seal fabric, defects in the internal floating roof, or other control equipment defects listed in § 60.113c(a)(2)(ii), report:

(i) Identification of the storage vessel and date of inspection;

(ii) The reason it did not meet the specifications of § 60.112c(b) or § 60.113c(a)(2)(ii);

(iii) A description of each repair made; and

(iv) Date of repair.

(5) For each inspection required under § 60.113c(b)(1), report the following information:

(i) Identification of the storage vessel and the date of the inspection;

(ii) The accumulated area of gaps between the storage vessel wall and the primary seal (in square inches per foot of storage vessel diameter);

(iii) The maximum width of any portion of any gap in the primary seal (in inches);

(iv) The accumulated area of gaps between the storage vessel wall and the secondary seal (in square inches per foot of storage vessel diameter);

(v) The maximum width of any portion of any gap in the secondary seal (in inches); and

(vi) An indication whether there was an inspection failure. If there was an inspection failure, also include the following information in the report:

(A) An indication of the type of deviation(s) [indicating all that apply from: §§ 60.113c(b)(4)(i)(A), 60.113c(b)(4)(i)(B), 60.113c(b)(4)(i)(C), 60.113c(b)(4)(i)(D), 60.113c(b)(4)(ii)(A), 60.113c(b)(4)(ii)(B), 60.113c(b)(4)(ii)(C), 60.113c(b)(4)(ii)(D), 60.113c(b)(4)(iii)(A), 60.113c(b)(4)(iii)(B), 60.113c(b)(4)(iii)(C), 60.113c(b)(4)(iii)(D)]; and

(B) The date the storage vessel was emptied or the repairs made and date of repair.

(6) For each inspection required by § 60.113c(b)(7) that finds defects as listed in § 60.113c(b)(7)(i), report:

(i) Identification of the storage vessel and date of inspection;

(ii) The reason it did not meet the specifications of § 60.112c(c) or § 60.113c(b)(7);

(iii) A description of each repair made; and

(iv) Date of repair.

(7) For each landing of an internal floating roof or an external floating roof that triggers an alarm required by § 60.113c(a)(5) or (b)(8), report:

(i) Identification of the storage vessel;

(ii) Date the roof was landed; and

(iii) Indication of whether the roof landed because the storage vessel was being emptied.

(8) After installing a closed vent system that routes to a control device, fuel gas system, or process to comply with § 60.112c, report the following, as well as the information in paragraphs (c)(9) or (10) of this section, as applicable:

(i) Results of annual inspections that indicate a backpressure regulator valve is not set correctly or does not fully close when not in the open position. Include the date and time of the inspection, the type of deviation, the corrective action taken, and the date and time when the backpressure regulator valve is set correctly, repaired, or replaced.

(ii) For each inspection conducted under § 60.113c(c)(2), identification of the closed vent system, the date of inspection, the type of inspection (Method 21 of appendix A-7 to this part or visible, audible, and olfactory methods) and summary result of the inspection (no leaks detected or leaks

were detected). For each leak detected, provide an identification of the part of the closed vent system associated with the leak, the date of the first attempt at repair, and the date of successful repair or anticipated repair if the repair is delayed.

(iii) The start date and time, duration in hours, and an estimate of the mass quantity in pounds of VOL released for times when flow is detected or emissions are diverted from the control device through a bypass line while a storage vessel affected facility vented to the closed vent system contains VOL or is being degassed.

(9) After installing a closed vent system and control device to comply with § 60.112c other than a flare or an enclosed combustion device electing to comply with § 60.112c(d)(5), report:

(i) For each instance when the CMS measured 3-hour rolling averages below the established operating limit:

(A) The date and start time of the deviation;

(B) The duration of the deviation in hours;

(C) The lowest 3-hour rolling average operating parameter reading during the period of the deviation;

(D) A unique identifier for the CMS;

(E) The make, model number, and date of last calibration check of the CMS; and

(F) The cause of the deviation and the corrective action taken.

(ii) For all instances when the CMS was inoperative:

(A) The date and start time of the deviation;

(B) The duration of the deviation in hours;

(C) A unique identifier for the CMS;

(D) The make, model number, and date of last calibration check of the CMS; and

(E) The cause of the deviation and the corrective action taken.

(10) After installing a closed vent system and a flare to comply with § 60.112c or an enclosed combustion device electing to comply with § 60.112c(d)(5), report:

(i) The date and start and end times for each of the following instances:

(A) Each 15-minute block during which there was at least 1 minute when storage vessel vapors were routed to the flare and no pilot flame or flare flame was present.

(B) Each period of 2 consecutive hours during which visible emissions exceeded a total of 5 minutes. Additionally, report the number of minutes for which visible emissions were observed during the observation or an estimate of the cumulative number of minutes in the 2-hour period for which

emissions were visible based on best information available to the owner or operator.

(C) Each 15-minute period for which the applicable operating limits specified in 40 CFR 63.670(d) through (f) were not met. You must identify the specific operating limit that was not met and report the value of the net heating value operating parameter(s) during the deviation determined following the methods in 40 CFR 63.670(k) through (n) as applicable.

(ii) The start date, start time, and duration in minutes for each period when storage vessel vapors were routed to the flare or enclosed combustion device and the applicable monitoring was not performed.

(iii) For each instance reported under paragraphs (c)(10)(i) and (ii) of this section that involves CMS, report the following information:

(A) A unique identifier for the CMS;

(B) The make, model number, and date of last calibration check of the CMS; and

(C) The cause of the deviation or downtime and the corrective action taken.

(11) For pressure relief devices on a storage vessel or closed vent system subject to § 60.112c(d)(1)(iii) or (d)(2)(iii), report each pressure release to the atmosphere, including pressure relief device identification name or number, the start date, start time, and duration (in minutes) of the pressure release; and an estimate of the mass quantity in pounds of VOL released.

(12) For vacuum breaking devices on a storage vessel subject to § 60.112c(d) and (d)(1)(iii), report the following information for each time the vacuum breaking device failed to close prior to the storage vessel reaching atmospheric pressure: identification name or number of vacuum breaking device; the start date, start time, and duration (in minutes) of the pressure release; and an estimate of the mass quantity in pounds of VOL released.

(d) *Timeframe for semiannual report submissions.* (1) The first semiannual report will cover the period starting with the date the source first becomes an affected facility subject to this subpart and ending June 30 or December 31, whichever date is earlier. For example, if the source becomes an affected facility on April 15, the first semiannual report would cover the period from April 15 to June 30. The first semiannual report must be submitted on or before the last day of the month 2 months after the last date covered by the semiannual report. In this example, the first semiannual report would be due August 31.

(2) Subsequent semiannual reports will cover subsequent 6 calendar month periods (January 1 through June 30 or July 1 through December 31, as applicable) with each report due on or before the last day of the month 2 months after the last date covered by the semiannual report (August 31 or February 28 or 29, as applicable).

(3) For each affected facility that is subject to permitting regulations pursuant to 40 CFR parts 70 or 71, if the delegated authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 71.6(a)(3)(iii)(A), you may submit the first and subsequent semiannual reports according to the dates the delegated authority has established instead of the dates in paragraphs (d)(1) and (2) of this section.

(e) *Reporting requirements for performance tests.* Within 60 days after the date of completing each performance test, you must submit the results following the procedures specified in paragraph (f) of this section. Data collected using test methods that are supported by the U.S.

Environmental Protection Agency (EPA) Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (<https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert>) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. 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 must be included as an attachment in the ERT or an alternate electronic file.

(f) *Requirements for electronically submitting reports.* If you are required to submit notifications or reports following the procedures specified in this paragraph (f), you must submit notifications or reports to the EPA via CEDRI, which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to you. Do not use CEDRI to submit information you claim as confidential business information (CBI). Although we do not expect persons to assert a claim of CBI, if you wish to assert a CBI claim for some of the information in the report, you must submit a complete file in the format specified in this subpart, including information claimed to be CBI, to the EPA following the

procedures in paragraphs (f)(1) and (2) of this section. Clearly mark the part or all of the information that you claim to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. All CBI claims must be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA section 114(c), emissions data are not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. You must submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in this paragraph (f).

(1) The preferred method to receive CBI is for it to be transmitted electronically using email attachments, File Transfer Protocol, or other online file sharing services. Electronic submissions must be transmitted directly to the OAQPS CBI Office at the email address oaqpscbi@epa.gov, and as described above, should include clear CBI markings. ERT files should be flagged to the attention of the Measurement Policy Group Leader and all other files should be flagged to the attention of the NSPS Kc Rule Lead. If assistance is needed with submitting large electronic files that exceed the file size limit for email attachments, and if you do not have your own file sharing service, please email oaqpscbi@epa.gov to request a file transfer link.

(2) If you cannot transmit the file electronically, you may send CBI information through the postal service to the following address: U.S. EPA, Attn: OAQPS Document Control Officer, Mail Drop: C404-02, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711. ERT files should be sent to the secondary attention of the Measurement Policy Group Leader and all other files should be sent to the secondary attention of the NSPS Kc Rule Lead. The mailed CBI material should be double wrapped and clearly marked. Any CBI markings should not show through the outer envelope.

(g) *Claims of EPA system outage.* If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, you must meet the requirements outlined in paragraphs (g)(1) through (7) of this section.

(1) You must have been or will be precluded from accessing CEDRI and submitting a required report within the time prescribed due to an outage of either the EPA's CEDRI or CDX systems.

(2) The outage must have occurred within the period of time beginning 5 business days prior to the date that the submission is due.

(3) The outage may be planned or unplanned.

(4) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(5) You must provide to the Administrator a written description identifying:

(i) The date(s) and time(s) when CDX or CEDRI was accessed and the system was unavailable;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to EPA system outage;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(6) The decision to accept the claim of EPA system outage and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(7) In any circumstance, the report must be submitted electronically as

soon as possible after the outage is resolved.

(h) *Claims of force majeure.* If you are required to electronically submit a report through CEDRI in the EPA's CDX, you may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, you must meet the requirements outlined in paragraphs (h)(1) through (5) of this section.

(1) You may submit a claim if a force majeure event is about to occur, occurs, or has occurred or there are lingering effects from such an event within the period of time beginning 5 business days prior to the date the submission is due. For the purposes of this section, a force majeure event is defined as an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents you from complying with the requirement to submit a report electronically within the time period prescribed. Examples of such events are acts of nature (e.g., hurricanes, earthquakes, or floods), acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility (e.g., large scale power outage).

(2) You must submit notification to the Administrator in writing as soon as possible following the date you first knew, or through due diligence should have known, that the event may cause or has caused a delay in reporting.

(3) You must provide to the Administrator:

(i) A written description of the force majeure event;

(ii) A rationale for attributing the delay in reporting beyond the regulatory deadline to the force majeure event;

(iii) A description of measures taken or to be taken to minimize the delay in reporting; and

(iv) The date by which you propose to report, or if you have already met the reporting requirement at the time of the notification, the date you reported.

(4) The decision to accept the claim of force majeure and allow an extension to the reporting deadline is solely within the discretion of the Administrator.

(5) In any circumstance, the reporting must occur as soon as possible after the force majeure event occurs.

§ 60.117c Delegation of authority.

(a) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under section 111(c) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(b) Authorities which will not be delegated to State, local, or Tribal agencies: §§ 60.113c(d)(1)(iv) and 60.114c and approval of an alternative to any electronic reporting to the EPA required by this subpart.

[FR Doc. 2024-22823 Filed 10-11-24; 8:45 am]

BILLING CODE 6560-50-P

January 1, 2019. *AARP v. EEOC*, No. 16–2113 (D.D.C. December 20, 2017). Consistent with that decision, the EEOC published a final rule entitled “Removal of Final ADA Wellness Rule Vacated by Court” at 83 FR 65296 (December 20, 2018) to remove the incentive section of the ADA rule at 29 CFR 1630.14(d)(3). However, due to an oversight, this 2018 final rule did not remove the corresponding discussion of that section in the appendix to 29 CFR part 1630. The instant final rule serves to supplement 83 FR 65296 (December 20, 2018) and implement the court’s ruling by removing the corresponding portions of the appendix to 29 CFR part 1630 in which 29 CFR 1630.14(d)(3) is discussed. Doing so will reflect the revisions to the ADA rule as amended by 83 FR 65296.

Like the 2018 rule, this supplemental rule is not subject to the requirement to provide an opportunity for public comment because it falls under the good cause exception at 5 U.S.C. 553(b)(4)(B). The good cause exception is satisfied when notice and comment is “impracticable, unnecessary, or contrary to the public interest.” *Id.* Just as the EEOC proceeded directly to a final rule for the original removal of the regulatory incentive text based on the “good cause” exception, here, too, this rule is an administrative measure that corrects an omitted step in 2018 and implements the court’s order referenced above. Seeking public comment on this removal also is unnecessary because the Commission is acting to execute the court order.

Finally, because this rule implements a court order already in effect, the Commission has good cause to waive the 30-day effective date under 5 U.S.C. 553(d)(3).

Regulatory Procedures

Executive Order 12866 (as Amended by Executive Order 14094)

The Commission has complied with the principles in section 1(b) of Executive Order 12866, as amended by Executive Order 14094, Regulatory Planning and Review. This rule is not a “significant regulatory action” under section 3(f) of the Executive Order and does not require an assessment of potential costs and benefits under section 6(a)(3) of the Executive Order.

Paperwork Reduction Act

This regulation contains no new information collection requirements subject to review by the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 604, requires a final regulatory flexibility analysis for final rules only “after being required to publish a general notice of proposed rulemaking” or for interpretive internal revenue laws. This rule is being promulgated without a notice of proposed rulemaking for the reasons described above. Further, it does not concern internal revenue matters. Therefore, a regulatory flexibility analysis is not required.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year, in 1995 dollars, updated annually for inflation. In 2023, that threshold was approximately \$177 million. It will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1501 *et seq.*

List of Subjects in 29 CFR Part 1630

Equal employment opportunity,
Individuals with disabilities.

For the reasons set forth in the preamble, and under the authority of 42 U.S.C. 12116 and 12205a of the Americans with Disabilities Act, the Commission amends 29 CFR part 1630 as follows:

PART 1630—REGULATIONS TO IMPLEMENT THE EQUAL EMPLOYMENT PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT

- 1. The authority citation for part 1630 continues to read as follows:

Authority: 42 U.S.C. 12116 and 12205a of the Americans with Disabilities Act, as amended.

Appendix to Part 1630 [Amended]

- 2. Amend the appendix to part 1630, under the heading “Section 1630.14 Medical Examinations and Inquiries Specifically Permitted,” by removing the entries for “Section 1630.14(d)(3): Limitations on Incentives” and “Application of Section 1630.14(d)(3) to Smoking Cessation Programs”.

For the Commission.

Charlotte A. Burrows,
Chair.

[FR Doc. 2024–14606 Filed 7–3–24; 8:45 am]

BILLING CODE 6570–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA–HQ–OAR–2023–0072; EPA–HQ–OAR–2022–0730; FRL–12032–01–OAR]

RIN 2060–AV09; 2060–AV71

New Source Performance Standards; Incorporation by Reference; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: The Environmental Protection Agency (EPA) finalized multiple actions with incorporation by reference (IBR) in separate final rules that amended the same centralized IBR section. The amendatory instructions for that section were drafted based on a different publication order than the ultimate publication order of the affected rules. This rule corrects the instructions allowing Office of the Federal Register (OFR) editors to codify the amendments from each rule.

DATES: The corrections in instructions 1 and 2 are effective July 8, 2024, and the corrections in instructions 3 and 4 are effective July 15, 2024.

FOR FURTHER INFORMATION CONTACT: Muntasir Ali, Sector Policies and Program Division (D243–05), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, P.O. Box 12055, Research Triangle Park, North Carolina, 27711; telephone number: (919) 541–0833; email address: ali.muntasir@epa.gov.

SUPPLEMENTARY INFORMATION: The EPA published two final rules, 89 FR 39798 (May 9, 2024) and 89 FR 42932 (May 16, 2024), that each amended 40 CFR 60.17, the centralized IBR section for 40 CFR part 60. The amendatory instructions were drafted with the assumption that the two rules would publish in the reverse order. Given the order in which they published, if OFR editors were to effectuate the instructions, the editors would revise paragraphs other than the ones intended on July 8, 2024 (the effective date of the first rule), and July 15, 2024 (the effective date of the second rule), and would be unable to carry out an instruction in the second rule. This rule corrects the instructions allowing OFR editors to codify the amendments from each rule.

Corrections

I. As of July 8, 2024, in FR Doc. 2024–09233 at 89 FR 39798 in the **Federal Register** of Thursday May 9, 2024, make the following corrections:

§ 60.17 [Corrected]

■ 1. On page 40027, in the second column, in amendment 2, correct the text of instruction 2.a. to read “Revising paragraphs (d)(1), (g)(15) and (16), (h)(37), (42), (46), (143), (202), and (208), the introductory text of paragraph (i);”

■ 2. On page 40027, in the third column, in § 60.17(h):

- a. Correct “(38)” to read “(37)”;
- b. Correct “(43)” to read “(42)”;
- c. Correct “(47)” to read “(46)”;
- d. Correct “(145)” to read “(143)”;
- e. Correct “(206)” to read “(202)”;
- f. Correct “(212)” to read “(208)”.

II. As of July 15, 2024, in FR Doc. 2024–07002 at 89 FR 42932 in the **Federal Register** of Thursday May 16, 2024, make the following corrections:

§ 60.17 [Corrected]

- 3. On page 43067, in the second column, in amendment 2:
 - a. Correct instruction 2.c. to read “Revising and republishing paragraph (k).”; and
 - b. Remove instruction 2.d.
- 4. On page 43068, in the first column, in § 60.17, correct “(j)” to read “(k)”.

Joseph Goffman,

Assistant Administrator, Office of Air and Radiation.

[FR Doc. 2024–14407 Filed 7–3–24; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Parts 60 and 63**

[EPA–HQ–OAR–2020–0371; EPA–HQ–OAR–2022–0730; FRL–12066–01–OAR]

RIN 2060–AU97; 2060–AV71

New Source Performance Standards (NSPS) for the Synthetic Organic Chemical Manufacturing Industry (SOCMI) and National Emission Standards for Hazardous Air Pollutants (NESHAP) for the SOCMI and Group I & II Polymers and Resins Industry and NESHAP: Gasoline Distribution Technology Reviews and NSPS Review for Bulk Gasoline Terminals; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule, correction.

SUMMARY: The Environmental Protection Agency (EPA) is correcting final rules that appeared in the **Federal Register** on May 8, 2024, and May 16, 2024. This action corrects instructions allowing Office of **Federal Register** editors to codify the amendments from the rules.

This action also includes express instructions to lift the stay of provisions granted on June 2, 2008 (73 FR 31372). The corrections to instructions in this document do not alter or change the content or text of any regulatory provision.

DATES: The correction to 40 CFR 63.11099, at instruction 6, is effective July 8, 2024. The corrections to 40 CFR 60.481, 60.482–1, 60.481a, 60.482–1a, and 60.482–11a, at instructions 1 through 5, are effective July 15, 2024.

FOR FURTHER INFORMATION CONTACT: For the Gasoline Distribution rules, contact U.S. EPA, Attn: Ms. Jennifer Caparoso, Mail Drop: E143–01, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, NC 27711; telephone number: (919) 541–4063; and email address: caparoso.jennifer@epa.gov. For the Synthetic Organic Chemical Manufacturing Industry rules, contact U.S. EPA, Attn: Mr. Andrew Bouchard, Mail Drop: E143–01, 109 T.W. Alexander Drive, P.O. Box 12055, RTP, North Carolina 27711; telephone number: (919) 541–4036; and email address: bouchard.andrew@epa.gov.

SUPPLEMENTARY INFORMATION: The EPA published two final actions, 89 FR 39304 (May 8, 2024) and 89 FR 42932 (May 16, 2024), that amended 40 CFR part 63, subpart BBBBBB, and 40 CFR part 60, subparts VV and VVa, respectively. The Office of **Federal Register** (OFR) editor is unable to carry out certain instructions of the rules as currently written. This action corrects the instructions allowing OFR editors to codify the amendments from each rule. Additionally, this action includes express instructions in the amendatory text to lift the stay of the definition of “Process unit” and the method of allocating shared storage vessels in 40 CFR part 60, subpart VV, as well as the stay of the definitions of “Process unit” and “Capital expenditure” and the method of allocating shared storage vessels in 40 CFR part 60, subpart VVa.

Corrections

In FR Doc. 2024–07002, appearing in page 42932 in the **Federal Register** of Thursday, May 16, 2024, the following corrections are made:

§ 60.481 [Corrected]

■ 1. Effective July 15, 2024, on page 43068, in the second column, in part 60, amendatory instruction 4 is corrected to read as follows:

“■ 4. Amend § 60.481 by lifting the stay on the definition of “Process unit” and revising the definition of “Process unit”.

The revision reads as follows:”

§ 60.482–1 [Corrected]

■ 2. Effective July 15, 2024, on page 43068, in the second column, in part 60, amendatory instruction 5 is corrected to read as follows:

“■ 5. Amend § 60.482–1 by lifting the stay on paragraph (g) and removing paragraph (g).”

§ 60.481a [Corrected]

■ 3. Effective July 15, 2024, on page 43070, in the second column, in part 60, amendatory instruction 11 is corrected to read as follows:

“■ 11. Amend § 60.481a by lifting the stay on the definitions of “Capital expenditure” and “Process unit” and revising the definitions to read as follows:”

§ 60.482–1a [Corrected]

■ 4. Effective July 15, 2024, on page 43070, in the first column, in part 60, amendatory instruction 12 is corrected to read as follows:

“■ 12. Amend § 60.482–1a by:

- a. Revising paragraph (e); and
- b. Lifting the stay on paragraph (g) and removing paragraph (g).

The revisions read as follows:”

§ 60.482–11a [Corrected]

■ 5. Effective July 15, 2024, on page 43070, in the second column, in part 60, amendatory instruction 13 is corrected to read as follows:

“■ 13. Amend § 60.482–11a by lifting the stay and removing the section.”

In FR Doc. 2024–04629, appearing on page 39304 in the **Federal Register** on Wednesday, May 8, 2024, the following correction is made:

§ 63.11099 [Corrected]

■ 6. Effective July 8, 2024, on page 39383, in the third column, in part 63, amendatory instruction 29 is corrected to read as follows:

“■ 29. Section 63.11099 is amended by revising paragraph (c) introductory text and adding paragraph (c)(5) to read as follows:”

Joseph Goffman,

Assistant Administrator.

[FR Doc. 2024–14678 Filed 7–3–24; 8:45 am]

BILLING CODE 6560–50–P