

## **Subpart P—National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources**

**Source:** 72 FR 38913, July 16, 2007, unless otherwise noted.

### **Applicability and Compliance Dates**

#### **§ 63.11421 Am I subject to this subpart?**

(a) You are subject to this subpart if you own or operate a lead acid battery manufacturing plant that is an area source of hazardous air pollutants (HAP) emissions.

(b) This subpart applies to each new or existing affected source. The affected source is each lead acid battery manufacturing plant. The affected source includes all grid casting facilities, paste mixing facilities, three-process operation facilities, lead oxide manufacturing facilities, lead reclamation facilities, and any other lead-emitting operation that is associated with the lead acid battery manufacturing plant.

(1) An affected source is existing if you commenced construction or reconstruction of the affected source on or before April 4, 2007.

(2) An affected source is new if you commenced construction or reconstruction of the affected source after April 4, 2007.

(c) This subpart does not apply to research and development facilities, as defined in section 112(c)(7) of the Clean Air Act (CAA).

(d) You are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not otherwise required by law to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a). Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart.

#### **§ 63.11422 What are my compliance dates?**

(a) If you own or operate an existing affected source, you must achieve compliance with the applicable provisions in this subpart by no later than July 16, 2008.

(b) If you startup a new affected source on or before July 16, 2007, you must achieve compliance with the applicable provisions in this subpart not later than July 16, 2007.

(c) If you startup a new affected source after July 16, 2007, you must achieve compliance with the provisions in this subpart upon startup of your affected source.

### **Standards and Compliance Requirements**

#### **§ 63.11423 What are the standards and compliance requirements for new and existing sources?**

(a) You must meet all the standards for lead in 40 CFR 60.372.

(b) You must meet the monitoring requirements in paragraphs (b)(1) and (2) of this section.

(1) For any emissions point controlled by a scrubbing system, you must meet the requirements in 40 CFR 60.373.

(2) For any emissions point controlled by a fabric filter, you must meet the requirements of paragraph (b)(2)(i) of this section and either paragraph (b)(2)(ii) or (iii) of this section. Fabric filters equipped with a high efficiency particulate air (HEPA) filter or other secondary filter are allowed to monitor less frequently, as specified in paragraph (b)(2)(iv) of this section.

(i) You must perform semiannual inspections and maintenance to ensure proper performance of each fabric filter. This includes inspection of structural and filter integrity. You must record the results of these inspections.

(ii) You must install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop shall be recorded at least once per day. If a pressure drop is observed outside of the normal operational ranges, you must record the incident and take immediate corrective actions. You must also record the corrective actions taken. You must submit a monitoring system performance report in accordance with §63.10(e)(3).

(iii) You must conduct a visible emissions observation at least once per day to verify that no visible emissions are occurring at the discharge point to the atmosphere from any emissions source subject to the requirements of paragraph (a) of this section. If visible emissions are detected, you must record the incident and conduct an opacity measurement in accordance with 40 CFR 60.374(b)(3). You must record the results of each opacity measurement. If the measurement exceeds the applicable opacity standard in 40 CFR 60.372(a)(7) or (8), you must submit this information in an excess emissions report required under §63.10(e)(3).

(iv) Fabric filters equipped with a HEPA filter or other secondary filter are allowed to monitor less frequently, as specified in paragraph (b)(2)(iv)(A) or (B) of this section.

(A) If you are using a pressure drop monitoring device to measure the differential pressure drop across the fabric filter in accordance with paragraph (b)(2)(ii) of this section, you must record the pressure drop at least once per week. If a pressure drop is observed outside of the normal operational ranges, you must record the incident and take immediate corrective actions. You must also record the corrective actions taken. You must submit a monitoring system performance report in accordance with §63.10(e)(3).

(B) If you are conducting visible emissions observations in accordance with paragraph (b)(2)(iii) of this section, you must conduct such observations at least once per week and record the results in accordance with paragraph (b)(2)(iii) of this section. If visible emissions are detected, you must record the incident and conduct an opacity measurement in accordance with 40 CFR 60.374(b)(3). You must record the results of each opacity measurement. If the measurement exceeds the applicable opacity standard in 40 CFR 60.372(a)(7) or (8), you must submit this information in an excess emissions report required under §63.10(e)(3).

(c) You must meet the testing requirements in 40 CFR 60.374.

(1) Existing sources are not required to conduct a performance test if a prior performance test was conducted using the same methods specified in 40 CFR 60.374 and either no process changes have been made since the test, or you can demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance with this subpart despite process changes.

(2) Sources without a prior performance test, as described in paragraph (c)(1) of this section, must conduct a performance test using the methods specified in 40 CFR 60.374 by 180 days after the compliance date.

#### **§ 63.11424 [Reserved]**

### **Other Requirements and Information**

#### **§ 63.11425 What General Provisions apply to this subpart?**

(a) The provisions in 40 CFR part 63, subpart A, that are applicable to this subpart are specified in Table 1 to this subpart.

(b) For existing sources, the initial notification required by §63.9(b) must be submitted not later than March 13, 2009.

(c) For existing sources, the notification of compliance required by §63.9(h) must be submitted not later than September 15, 2008.

#### **§ 63.11426 What definitions apply to this subpart?**

The terms used in this subpart are defined in the CAA; 40 CFR 60.371; 40 CFR 60.2 for terms used in the applicable provisions of part 60, subpart A; and §63.2 for terms used in the applicable provisions of 40 CFR part 63, subpart A.

#### **§ 63.11427 Who implements and enforces this subpart?**

(a) This subpart can be implemented and enforced by the U.S. EPA or a delegated authority such as a State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or tribal agency pursuant to 40 CFR part 63, subpart E, then that Agency has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out if this subpart is delegated to a State, local, or tribal agency within your State.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the approval authorities contained in paragraphs (b)(1) through (4) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(1) Approval of an alternative non-opacity emissions standard under §63.6(g).

(2) Approval of a major change to test methods under § 63.7(e)(2)(ii) and (f). A “major change to test method” is defined in §63.90.

(3) Approval of a major change to monitoring under § 63.8(f). A “major change to monitoring” is defined in §63.90.

(4) Approval of a major change to recordkeeping/reporting under § 63.10(f). A “major change to recordkeeping/reporting” is defined in §63.90.

**Table 1 To Subpart P P P P P of Part 63.—Applicability of General Provisions to Subpart P P P P P**

As required in § 63.11425, you must comply with the requirements of the NESHAP General Provisions (40 CFR part 63, subpart A) as shown in the following table.

Citation	Subject	Applies to Subpart P P P P P?	Explanation
63.1	Applicability	Yes	
63.2	Definitions	Yes	
63.3	Units and Abbreviations		
63.4	Prohibited Activities and Circumvention	Yes	
63.5	Preconstruction Review and Notification Requirements	No	
63.6(a)–(d), (e)(1), (f)–(j)	Compliance with Standards and Maintenance Requirements	Yes	
63.6(e)(3)		No	Subpart P P P P P does not require a startup, shutdown, and malfunction plan.
63.7	Performance Testing Requirements	Yes	
63.8	Monitoring Requirements	Yes	
63.9	Notification Requirements	Yes	
63.10(a)–(c), (d)(1)–(4), (e), (f)	Recordkeeping and Reporting Requirements	Yes	
63.10(d)(5)		No	Subpart P P P P P does not require a startup, shutdown, and malfunction plan.
63.11	Control Device	No	Subpart P P P P P does not

	Requirements		require flares.
63.12	State Authorities and Delegations	Yes.	
63.13	Addresses	Yes	
63.14	Incorporations by Reference	Yes	
63.15	Availability of Information and Confidentiality	Yes	
63.16	Performance Track Provisions	Yes	
63.1(a)(5), (a)(7)–(9), (b)(2), (c)(3), (d), 63.6(b)(6), (c)(3), (c)(4), (d), (e)(2), (e)(3)(ii), (h)(3), (h)(5)(iv), 63.8(a)(3), 63.9(b)(3), (h)(4), 63.10(c)(2)–(c)(4), (c)(9)	Reserved	No	