§ 63.40 Applicability of §§ 63.40 through 63.44.

(a) Applicability. The requirements of §§ 63.40 through 63.44 of this subpart carry out section 112(g)(2)(B) of the 1990 Amendments.

(b) Overall requirements. The requirements of §§ 63.40 through 63.44 of this subpart apply to any owner or operator who constructs or reconstructs a source of hazardous air pollutants after the effective date of section 112(g)(2)(B) (as defined in § 63.41) and the effective date of a title V permit program in the State or local jurisdiction in which the major source is (or would be) located unless the major source in question has been specifically regulated or exempted from regulation under a standard issued pursuant to section 112(d), section 112(h), or section 112(j) and incorporated in another subpart of part 63, or the owner or operator of such major source has received all necessary air quality permits for such construction or reconstruction project before the effective date of section 112(g)(2)(B).

(c) Exclusion for electric utility steam generating units. The requirements of this subpart do not apply to electric utility steam generating units unless and until such time as these units are added to the source category list pursuant to section 112(c)(5) of the Act.

(d) Relationship to State and local requirements. Nothing in this subpart shall prevent a State or local agency from imposing more stringent requirements than those contained in this subpart.

(e) Exclusion for stationary sources in deleted source categories. The requirements of this subpart do not apply to stationary sources that are within a source category that has been deleted from the source category list pursuant to section 112(c)(9) of the Act.

(f) Exclusion for research and development activities. The requirements of this subpart do not apply to research and development activities, as defined in § 63.41.

§ 63.41 Definitions.

Terms used in this subpart that are not defined in this section have the

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TABLE 1 TO SUBPART A OF PART 63—DETECTION SENSITIVITY LEVELS (GRAMS PER HOUR)

<table>
<thead>
<tr>
<th>Monitoring frequency per subpart</th>
<th>Detection sensitivity level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bi-Monthly</td>
<td>60</td>
</tr>
<tr>
<td>Semi-Quarterly</td>
<td>85</td>
</tr>
<tr>
<td>Monthly</td>
<td>100</td>
</tr>
</tbody>
</table>

*When this alternative work practice is used to identify leaking equipment, the owner or operator must choose one of the monitoring frequencies listed in this table, in lieu of the monitoring frequency specified in the applicable subpart. Bi-monthly means every other month. Semi-quarterly means twice per quarter. Monthly means once per month.

[61 FR 63399, Dec. 27, 1996]

Subpart B—Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j)

Source: 59 FR 26449, May 20, 1994, unless otherwise noted.