

**§ 60.16**

**40 CFR Ch. I (7-1-25 Edition)**

(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 set forth in this part.

(c) “Fixed capital cost” means the capital needed to provide all the depreciable components.

(d) If an owner or operator of an existing facility proposes to replace components, and 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, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:

(1) Name and address of the owner or operator.

(2) The location of the existing facility.

(3) A brief description of the existing facility and the components which are to be replaced.

(4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.

(5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.

(6) The estimated life of the existing facility after the replacements.

(7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

(e) The Administrator will determine, within 30 days of the receipt of the notice required by paragraph (d) of this section and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.

(f) The Administrator’s determination under paragraph (e) shall be based on:

(1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to

construct a comparable entirely new facility;

(2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;

(3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and

(4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.

(g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.

[40 FR 58420, Dec. 16, 1975]

**§ 60.16 Priority list.**

**PRIORITIZED MAJOR SOURCE CATEGORIES**

<i>Priority Number<sup>1</sup></i>	<i>Source Category</i>
1.	Synthetic Organic Chemical Manufacturing Industry (SOCMI) and Volatile Organic Liquid Storage Vessels and Handling Equipment (a) SOCMI unit processes (b) Volatile organic liquid (VOL) storage vessels and handling equipment (c) SOCMI fugitive sources (d) SOCMI secondary sources
2.	Industrial Surface Coating: Cans
3.	Petroleum Refineries: Fugitive Sources
4.	Industrial Surface Coating: Paper
5.	Dry Cleaning (a) Perchloroethylene (b) Petroleum solvent
6.	Graphic Arts
7.	Polymers and Resins: Acrylic Resins
8.	Mineral Wool (Deleted)
9.	Stationary Internal Combustion Engines
10.	Industrial Surface Coating: Fabric
11.	Industrial-Commercial-Institutional Steam Generating Units.
12.	Incineration: Non-Municipal (Deleted)
13.	Non-Metallic Mineral Processing
14.	Metallic Mineral Processing
15.	Secondary Copper (Deleted)
16.	Phosphate Rock Preparation
17.	Foundries: Steel and Gray Iron
18.	Polymers and Resins: Polyethylene
19.	Charcoal Production
20.	Synthetic Rubber (a) Tire manufacture (b) SBR production
21.	Vegetable Oil
22.	Industrial Surface Coating: Metal Coil
23.	Petroleum Transportation and Marketing
24.	By-Product Coke Ovens
25.	Synthetic Fibers
26.	Plywood Manufacture
27.	Industrial Surface Coating: Automobiles
28.	Industrial Surface Coating: Large Appliances
29.	Crude Oil and Natural Gas Production

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**PRIORITIZED MAJOR SOURCE CATEGORIES—  
Continued**

<i>Pri- ority Num- ber</i> <sup>1</sup>	<i>Source Category</i>
30.	Secondary Aluminum
31.	Potash (Deleted)
32.	Lightweight Aggregate Industry: Clay, Shale, and Slate <sup>2</sup>
33.	Glass
34.	Gypsum
35.	Sodium Carbonate
36.	Secondary Zinc (Deleted)
37.	Polymers and Resins: Phenolic
38.	Polymers and Resins: Urea-Melamine
39.	Ammonia (Deleted)
40.	Polymers and Resins: Polystyrene
41.	Polymers and Resins: ABS-SAN Resins
42.	Fiberglass
43.	Polymers and Resins: Polypropylene
44.	Textile Processing
45.	Asphalt Processing and Asphalt Roofing Manufacture
46.	Brick and Related Clay Products
47.	Ceramic Clay Manufacturing (Deleted)
48.	Ammonium Nitrate Fertilizer
49.	Castable Refractories (Deleted)
50.	Borax and Boric Acid (Deleted)
51.	Polymers and Resins: Polyester Resins
52.	Ammonium Sulfate
53.	Starch
54.	Perlite
55.	Phosphoric Acid: Thermal Process (Deleted)
56.	Uranium Refining
57.	Animal Feed Defluorination (Deleted)
58.	Urea (for fertilizer and polymers)
59.	Detergent (Deleted)
<i>Other Source Categories</i>	
	Lead acid battery manufacture <sup>3</sup>
	Organic solvent cleaning <sup>3</sup>
	Industrial surface coating: metal furniture <sup>3</sup>
	Stationary gas turbines <sup>4</sup>
	Municipal solid waste landfills <sup>4</sup>

<sup>1</sup> Low numbers have highest priority, e.g., No. 1 is high priority, No. 59 is low priority.  
<sup>2</sup> Formerly titled "Sintering: Clay and Fly Ash".  
<sup>3</sup> Minor source category, but included on list since an NSPS is being developed for that source category.  
<sup>4</sup> Not prioritized, since an NSPS for this major source category has already been promulgated.

[47 FR 951, Jan. 8, 1982, as amended at 47 FR 31876, July 23, 1982; 51 FR 42796, Nov. 25, 1986; 52 FR 11428, Apr. 8, 1987; 61 FR 9919, Mar. 12, 1996]

**§ 60.17 Incorporations by reference.**

(a)(1) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the U.S. Environmental Protection Agency (EPA) must publish a document in the FEDERAL REGISTER and the material must be available to the public. All approved incorporation

by reference (IBR) material is available for inspection at the EPA and at the National Archives and Records Administration (NARA). Contact the EPA at: EPA Docket Center, Public Reading Room, EPA WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC; phone: (202) 566-1744. For information on the availability of this material at NARA, visit [www.archives.gov/federal-register/cfr/ibr-locations](http://www.archives.gov/federal-register/cfr/ibr-locations) or email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov).

(2) The IBR material may be obtained from the sources in the following paragraphs of this section or from one or more private resellers listed in this paragraph (a)(2). For material that is no longer commercially available, contact: the EPA (see paragraph (a)(1) of this section).

(i) Accuris Standards Store, 321 Inverness Drive, South Englewood, CO 80112; phone: (800) 332-6077; website: <https://store accuristech.com>.

(ii) American National Standards Institute (ANSI), see paragraph (d) of this section.

(iii) GlobalSpec, 257 Fuller Road, Suite NFE 1100, Albany, NY 12203-3621; phone: (800) 261-2052; website: <https://standards.globalspec.com>.

(iv) Nimonik Document Center, 401 Roland Way, Suite 224, Oakland, CA 94624; phone (650) 591-7600; email: [info@document-center.com](mailto:info@document-center.com); website: [www.document-center.com](http://www.document-center.com).

(v) Techstreet, phone: (855) 999-9870; email: [store@techstreet.com](mailto:store@techstreet.com); website: [www.techstreet.com](http://www.techstreet.com).

(b) American Gas Association, available through ILLI Infodisk, 610 Winters Avenue, Paramus, New Jersey 07652:

(1) American Gas Association Report No. 3: Orifice Metering for Natural Gas and Other Related Hydrocarbon Fluids, Part 1: General Equations and Uncertainty Guidelines (1990), IBR approved for § 60.107a(d).

(2) American Gas Association Report No. 3: Orifice Metering for Natural Gas and Other Related Hydrocarbon Fluids, Part 2: Specification and Installation Requirements (2000), IBR approved for § 60.107a(d).

(3) American Gas Association Report No. 11: Measurement of Natural Gas by Coriolis Meter (2003), IBR approved for § 60.107a(d).