
40 C.F.R. § 63.999

Notifications and other reports.

(a) *Performance test and flare compliance assessment notifications and reports*—(1) *General requirements.* General requirements for performance test and flare compliance assessment notifications and reports are specified in paragraphs (a)(1)(i) through (iii) of this section.

(i) The owner or operator shall notify the Administrator of the intention to conduct a performance test or flare compliance assessment at least 30 days before such a compliance demonstration is scheduled to allow the Administrator the opportunity to have an observer present. If after 30 days notice for such an initially scheduled compliance demonstration, there is a delay (due to operational problems, etc.) in conducting the scheduled compliance demonstration, the owner or operator of an affected facility shall notify the Administrator as soon as possible of any delay in the original demonstration date. The owner or operator shall provide at least 7 days prior notice of the rescheduled date of the compliance demonstration, or arrange a rescheduled date with the Administrator by mutual agreement.

(ii) Unless specified differently in this subpart or a referencing subpart, performance test and flare compliance assessment reports, not submitted as part of a Notification of Compliance Status report, shall be submitted to the Administrator within 60 days of completing the test or determination.

(iii) Any application for a waiver of an initial performance test or flare compliance assessment, as allowed by § 63.997(b)(2), shall be submitted no later than 90 days before the performance test or compliance assessment is required. The application for a waiver shall include information justifying the owner or operator's request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the source performing the test.

(iv) Any application to substitute a prior performance test or compliance assessment for an initial performance test or compliance assessment, as allowed by § 63.997(b)(1), shall be submitted no later than 90 days before the performance test or compliance test is required. The application for substitution shall include information demonstrating that the prior performance test or compliance assessment was conducted using the same methods specified in § 63.997(e) or § 63.987(b)(3), as applicable. The application shall also include information demonstrating that no process changes have been made since the test, or that the results of the performance test or compliance assessment reliably demonstrate compliance despite process changes.

(2) *Performance test and flare compliance assessment report submittal and content requirements.* Performance test and flare compliance assessment reports shall be submitted as specified in paragraphs (a)(2)(i) through (iii) of this section.

(i) For performance tests or flare compliance assessments, the Notification of Compliance Status or performance test and flare compliance assessment report shall include one complete test report as specified in paragraph (a)(2)(ii) of this section for each test method used for a particular kind of emission point and other applicable information specified in (a)(2)(iii) of this section. For additional tests performed for the same kind of emission

point using the same method, the results and any other information required in applicable sections of this subpart shall be submitted, but a complete test report is not required.

(ii) A complete test report shall include a brief process description, sampling site description, description of sampling and analysis procedures and any modifications to standard procedures, quality assurance procedures, record of operating conditions during the test, record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, documentation of calculations, and any other information required by the test method.

(iii) The performance test or flare compliance assessment report shall also include the information specified in (a)(2)(iii)(A) through (C) of this section, as applicable.

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