

## **40 CFR 60 Subpart Y - Rule Interpretation Memos**

- ! [Determine if NSPS Y applicability is based on actual processing or design capacity](#) [June 16, 1997 ]
- ! [Applicability of conveyor belts from point of origin to destination of conveyed material.](#) [July 7, 1998 ]

Last Modified: July 7, 1998

## Rule Interpretation Summary Form

***REQUEST:***

Rule/Regulation Citation(s):	Federal Rule: ___ State Regulation: ___
40 CFR 60 Subpart Y	Description: Standards of Performance for Coal Preparation Plants
Interpretation Request:	
Is the 200 tons per day threshold for applicability of New Source Performance Standards (NSPS) Subpart Y based on actual capacity or rated (design) capacity?	

***DETERMINATION:***

Summary of Request:
Is the 200 tons per day (TPD) threshold for applicability of NSPS Subpart Y based on actual capacity or rated (design) capacity?
Determination:
<p>The 200 TPD threshold for applicability of Subpart Y is based on the design capacity of the facility.</p> <p>However, facilities that have a design capacity <math>\geq</math> 200 TPD, but process less than 200 TPD, may limit coal processing capability in a Title V Federal Operating Permit and make this limit federally enforceable. To ensure compliance with the federally enforceable processing limit, recordkeeping requirements would be placed into the Title V permit. These recordkeeping requirements would be to <u>record daily</u> the amount of coal processed each day in order to demonstrate that the unit is operating at <math>&lt;</math> 200 TPD. Facilities electing to comply in this manner would be exempt from <u>all</u> of the requirements stated in Subpart Y.</p>

## Rule Interpretation Summary Form

Rule/Regulation Citation(s):	Federal Rule: <u>  X  </u> State Regulation: <u>  </u>
40 C.F.R 60, Subpart Y, § 60.251(g)	Description:  NSPS Subpart Y - Standards of Performance for Coal Preparation Plants
Interpretation Request:	
Title 40 Code of Federal Regulations (C.F.R.) § 60.251(g) references “conveyor belts” used “to convey coal to or remove coal and refuse from the machinery”. Does this apply only to the conveyor belts immediately adjacent to the machinery or extending to its point of origin and destination?	
Determination:	
“Coal processing and conveying equipment” includes all the conveyors in the system which are used to convey coal to or remove coal and refuse from the machinery. This includes intermediate conveyors and those extending to the point of origin or destination of conveyed material as well as those located immediately adjacent to machinery.	