- (2) Changes to a monitoring or recordkeeping method that affect the measurement sensitivity of the method and representativeness of the data (e.g., precision, accuracy, measurement location, or averaging time) such that there may be a measurable effect in relation to the relevant source compliance emissions rate; changes that affect the scope and intent of the existing monitoring method (e.g., modified sample conditioning system, upgraded detector, upgraded data management system); or changes that may be generally applicable to similar monitoring methods in the same or other source categories (e.g., equipment modification for interference avoidance). Such changes may not involve a switch to new or alternative monitoring methods. Prior to the source's submission of a minor permit revision application, the permitting authority shall have affirmatively determined that the monitoring or recordkeeping change has been demonstrated by the source to have a known relationship and ability to determine compliance with the applicable source compliance emissions
- (3) In the case of a program delegated pursuant to § 71.10, changes to monitoring or recordkeeping methods that have been approved pursuant to major or minor NSR and that are demonstrated therein to have a known relationship and ability to determine compliance with the applicable source compliance emissions rate. The application for the minor permit revision must include supporting documentation from the major or minor NSR permit approval, information regarding the demonstration and approval of the requested monitoring or recordkeeping method, and information in accordance with $\S 71.7(g)(2)$ as related to the monitoring change. END OF OPTION]:
- (C) Do not involve or depend on netting transactions undertaken to avoid being subject to preconstruction review under part C or D of title I of the Act unless such emissions reductions:
- (1) Have been approved pursuant to a minor NSR process for which a 30-day public comment period was provided; or
- (2) Do not involve any single emissions increase that exceeds the applicable threshold for being a major modification under part C or D of title I of the Act, and the sum of all the contemporaneous increases does not exceed the applicable threshold for determining whether a source is major;
- (D) Do not involve offsets or modifications under section 112(g) of

- the Act, unless the change has been approved pursuant to a review process under section 112(g) of the Act;
- (E) Are not modifications subject to part C or D of title I of the Act, unless the change has been approved pursuant to major NSR and would incorporate all applicable requirements determined therein into the part 70 or part 71 permit;
- (F) [OPTION: ADD TO BEGINNING OF SENTENCE: Except for permit revisions solely involving monitoring or recordkeeping requirements,] Do not seek to establish or change a permit term or condition established to limit emissions which is federally enforceable only as a part 70 or part 71 permit term or condition. Such terms and conditions include:
- (1) A federally-enforceable emissions cap assumed in the part 70 or part 71 permit to avoid classification as a modification under any provision of title I of the Act;
- (2) An alternative emission limit established under the provisions of § 71.6(a)(1)(iii) equivalent to a requirement contained in an applicable implementation plan;
- (3) An alternative emissions limit established in the part 70 or part 71 permit pursuant to regulations promulgated under section 112(i)(5) of the Act;
- (4) An emissions limit established in the part 70 or part 71 permit pursuant to regulations promulgated under section 112(j) of the Act; and
- (5) Any other term or condition for which there is no corresponding underlying applicable requirement and the establishment of which allows the source to avoid an applicable requirement to which the source would otherwise be subject.
- (ii) Notwithstanding paragraph (g)(1)(i) of this section, minor permit revision procedures may be used for permit revisions involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit revision procedures are explicitly provided for in an applicable implementation plan or in applicable requirements promulgated by EPA.
- [OPTION: ADD NEW PARAGRAPH: (iii) Any demonstration required by paragraph (g)(1)(i)(B) of this section shall include an analysis conducted in accordance with 40 CFR 64.4(b)(5) and 64.4(c) utilizing appendices A, B, C, and D of 40 CFR part 64.]
- (2) Application. An application requesting the use of minor permit revision procedures shall meet the

requirements of § 71.5(f) and shall include the following:

(i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

(ii) An addendum containing the terms and conditions of the source's suggested draft permit revision;

(iii) A demonstration that the proposed change is eligible to be processed as a minor permit revision;

(iv) Certification by a responsible official, consistent with § 71.5(i), that:

(A) The proposed change meets the criteria for use of minor permit revision procedures;

(B) The source is in compliance with the permit terms or conditions it seeks to revise:

(C) Public notice of the proposed revision has been provided pursuant to paragraph (g)(3) of this section; and

- (D) Notice to the Administrator (in the case of a program delegated pursuant to § 71.10), and affected States of the proposed revision has been provided pursuant to paragraph (g)(4) of this section; and
- (v) An affidavit signed by a responsible official stating that the source accepts all legal risks of making the requested change prior to final permitting authority action to revise the source's permit.
- [OPTION: ADD NEW PARAGRAPH: (vi) For a change involving changes to monitoring or recordkeeping requirements, a summary of any demonstration required by paragraph (g)(1)(i)(B) of this section and performed in accordance with paragraph (g)(1)(iii) of this section and verification of its approval by the permitting authority. If in approving the demonstration the permitting authority determines that subsequent verification testing of the change is necessary, the permitting authority may establish a compliance schedule for performing verification testing to further demonstrate, consistent with paragraph (g)(1)(iii) of this section, the adequacy of the change. Such compliance schedule, after approval by the permitting authority, shall be attached to the addendum described in paragraph (g)(2)(ii) of this section and be processed as a permit term and shall not allow the source to begin verification testing in advance of the time when the source would be allowed to implement the minor permit revision requested change. The approved compliance schedule shall include a commitment by the source to provide the results of the verification testing to the permitting authority within 90 days of submittal of the minor permit revision application. Upon