(8) Reasons why more than one year is necessary to retrofit or replace the system;

(9) Date of notification to EPA;

(10) Estimate of when retrofit or replacement work will be completed;

(11) If time changes for original estimates, document reason for changes; and

(12) Date of notification to EPA of timing change. The last two items would only be required to be submitted as needed for a timing change.

EPA believes that most of the information included in these proposed recordkeeping and reporting requirements may be routinely maintained by the owners and operators of industrial process facilities. Where the records may not be routinely kept, the information EPA is proposing to require should not pose an undue burden to the affected community. Moreover, since EPA must base a determination of whether the circumstances faced by the owners or operators of the industrial process refrigeration equipment are such that additional time beyond the one year is reasonable, EPA requires this information in order to make an informed determination.

EPA requests comments on the need to provide additional time for the completion of retrofit activities for industrial process refrigeration equipment based on other applicable regulations and/or unavailability of acceptable refrigerants. In addition, EPA requests comments on the proposed recordkeeping and reporting requirements discussed in this section.

2. Additional Time Based on the Unavailability of Necessary Parts

Through this action, EPA is proposing that an additional one-year period beyond the initial one-year retrofit period be allowed for industrial process refrigeration equipment if four criteria are met: (1) The new or retrofitted refrigeration system is custom-built (meaning if it or any of its critical components cannot be purchased and/ or installed without being specifically designed), fabricated and/or assembled to satisfy a specific set of industrial process conditions; (2) the supplier of the system or one or more of its crucial components has quoted a delivery time of more than 30 weeks from when the order is placed; (3) the owner or operator notifies EPA within six months of the expiration of the 30-day period following the discovery of an exceedance of the 35 percent leak rate to identify the owner or operator, describe the system involved, explain why more than one year is needed, and

demonstrate that the first two criteria are met; and (4) the owner or operator maintains records adequate to allow a determination that the criteria are met.

EPA believes that a new or retrofitted refrigeration system should be considered custom-built if it or any of its critical components cannot be purchased and/or installed without being specifically designed, fabricated and/or assembled to satisfy a specific set of industrial process conditions. A critical component could be defined as a component without which an industrial process refrigeration system will not function, will be unsafe in its intended environment, or will be subject to failures that would cause the industrial process served by the refrigeration system to be unsafe. This proposed definition includes the need to consider the intended environment because of the potential uniqueness of conditions under which the system is required to operate. For example, some refrigeration systems must be operated in the presence of potentially corrosive substances, or flammable or combustible atmospheres. It may be necessary to ensure containment of toxic chemicals, or to ensure that potentially reactive chemicals are separated from each other. There may be high pressures or temperatures that could pose physical hazards if not restrained.

EPA intends for the term unsafe to include risks to human health and the environment. The term potentially could also refer to risks associated with property loss. For example, if cooling is needed to prevent runaway polymerization of process chemicals, then the sudden failure of the system could lead to an uncontrolled exothermic reaction, which could include a fire or potentially an explosion. While this clearly poses risks to human health and the environment, other operating conditions may be more likely to lead to property damage. EPA requests comments on this proposed definition of critical components and whether property damage should be included as part of this definition.

The industrial process refrigeration sector uses refrigeration in an extremely broad range of cooling capacities and temperature levels as well as a variety of applications. These conditions dictate the design, fabrication, and/or assembly of the refrigeration system and are responsible for the sheer diversity of mechanical specifications and equipment designs that comprise the industrial process refrigeration sector. These process conditions vary greatly from manufacturing process to manufacturing process. Below are examples of various process conditions that may need to be considered.

In the industrial sector, refrigeration systems are frequently used to cool highly corrosive product streams. As a result heat exchange evaporator tubes must be constructed of special materials and heavy wall thickness.

In the industrial sector, high pressures and high temperatures, particularly on the process side, are frequently encountered. As a result, process-side construction may have to withstand pressures seldomly encountered in commercial service. In addition, an extreme difference in temperature between the process inlet and outlet is common and requires consideration to be given to thermal stresses.

Industrial manufacturing operations with extremely low temperature requirements can result in high viscosities on the process side of the equipment. Although in the commercial sector, evaporators are designed with tubes of small inside diameter to achieve optimum heat transfer performance, tubes with extra-large inside diameters may be required to handle viscous streams. These high viscosities may require that an evaporator be equipped with rotating internal scrapers within tubes to provide for continual scraping of the heat transfer wall and facilitate the flow of the high viscosity fluid through the evaporator.

Manufacturing operations may be batch or continuous. A batch operation implies that operating conditions are expected to change over time usually in a repetitive pattern and therefore, the system must be designed for all extremes. In a continuous operation, temperatures, pressure, flow levels, composition, and other process parameters do not change with time.

Some manufacturing processes may yield products that are highly corrosive, highly viscous, or under high pressure and therefore not well suited for use in a refrigerant evaporator. Conditions such as these may require that the process fluid be cooled by an intermediate liquid, such as water that is itself cooled by evaporating the refrigerant. The selection of the liquid will be driven by the process condition. Some areas of the country have tight restrictions on water usage. In situations where water is utilized to cool equipment, river, lake, or well-water may provide the most economical cooling medium. In these instances, water treatment and special construction materials may be necessary

EPA believes that the above scenarios represent specific sets of industrial