additional year if the conditions in paragraph (i)(8)(ii) of this section are

- (i) Up to one additional one-year period beyond the initial one-year retrofit period is allowed for such equipment where the following criteria are met:
- (A) Due to complications presented by the federal agency appropriations and/or procurement process, a delivery time of more than 30 weeks from the beginning of the official procurement process is quoted, or where the appliance is located in an area subject to radiological contamination and creating a safe working environment will require more than 30 weeks;
- (B) The operator notifies EPA within six months of the expiration of the 30-day period following the discovery of an exceedance of the applicable allowable annual leak rate to identify the operator, describe the appliance involved, explain why more than one year is needed, and demonstrate that the first criterion is met in accordance with § 82.166(o); and
- (C) The operator maintains records adequate to allow a determination that the criteria are met.
- (ii) The owners or operators of federally-owned commercial or comfortcooling appliances may request additional time to complete retrofitting, replacement or retiring such appliances beyond the additional one-year period if needed and where the initial additional one year was granted in accordance with paragraph (i)(8)(i) of this section. The request shall be submitted to EPA before the end of the ninth month of the first additional year and shall include revisions of information earlier submitted as required under § 82.166(o). Unless EPA objects to this request submitted in accordance with §82.166(o) within 30 days of receipt, it shall be deemed approved.
- (9) Owners or operators must repair leaks pursuant to paragraphs (i)(1), (i)(2) and (i)(5) of this section within 30 days after discovery, or within 30 days after when the leaks should have been discovered if the owners intentionally shielded themselves from information which would have revealed a leak, unless granted additional time pursuant to § 82.156(i).
- (10) The amount of time for owners and operators to complete repairs, retrofit plans or retrofits/replacements/ retirements under paragraphs (i)(1), (i)(2), (i)(5), (i)(6), (i)(7), (i)(8), and (i)(9) of this section is temporarily suspended at the time an appliance is mothballed as defined in § 82.152. The time for owners and operators to complete repairs, retrofit plans, or retrofits/ replacements will resume on the day the

appliance is brought back on-line and is no longer considered mothballed. All initial and follow-up verification tests must be performed in accordance with paragraphs (i)(3), (i)(3)(i), and (i)(3)(ii) of this section.

(11) In calculating annual leak rates, purged refrigerant that is destroyed at a verifiable destruction efficiency of 98 percent or greater will not be counted toward the leak rate. Owners or operators destroying purged refrigerants must maintain information as set forth in § 82.166(p)(1) and submit to EPA, within 60 days after the first time such exclusion is used by that facility, information set forth in § 82.166(p)(2).

4. § 82.166 is amended by adding paragraphs (n), (o), (p), and (q) to read as follows:

§82.166 Reporting and recordkeeping requirements.

* * * * *

- (n) The owners or operators of appliances must maintain on-site and report to EPA at the address listed in § 82.160 the following information, where such reporting and recordkeeping is required and within the timelines specified under § 82.156 (i)(1), (i)(2), (i)(3) and (i)(5). This information must be relevant to the affected appliance and must include: identification of the facility; the leak rate; the method used to determine the leak rate and full charge; the date a leak rate of greater than the allowable annual leak rate was discovered; the location of leaks(s) to the extent determined to date; and any repair work that has been completed thus far and the date that work was completed.
- (1) The reasons why more than 30 days are needed to complete the work and an estimate of when repair work will be completed must be submitted with the initial information submitted with the information listed in paragraph (n) of this section. If changes from the original estimate of when work will be completed result in moving the completion date forward from the date submitted to EPA, the reasons for these changes must be documented and submitted to EPA within 30 days of discovering the need for such a change.
- (2) If the owners or operators intend to establish that the appliance's annual leak rate does not exceed the applicable allowable annual leak rate in accordance with § 82.156(i)(3)(v), the owner or operator is required to submit a plan to fix other outstanding leaks for which repairs are planned but not yet completed to achieve a rate below the applicable allowable leak rate with the information listed in paragraph (n) of

this section. Identification of the facility and date the original information regarding additional time beyond the initial 30 days was filed, and notification of the determination that the leak rate no longer exceeds the allowable annual leak rate must be included within 30 days of making such determination.

- (3) The dates and types of all initial and follow-up verification tests performed and the test results for all initial and follow-up verification tests must be maintained and submitted to EPA within 30 days after conducting each test where recordkeeping and reporting is required within the timelines specified under § 82.156 (i)(1), (i)(2), (i)(3) and (i)(5).
- (o) The owners or operators of appliances must maintain on-site and report to EPA at the address specified in § 82.160 the following information where such reporting and recordkeeping is required and in the timelines specified in § 82.156 (i)(7) and (i)(8), in accordance with § 82.156 (i)(7) and (i)(8). This information must be relevant to the affected appliance and must include:
- (1) The identification of the industrial process facility;
 - (2) The leak rate;
- (3) The method used to determine the leak rate and full charge;
- (4) The date a leak rate of 35 percent or greater was discovered;
- (5) The location of leaks(s) to the extent determined to date;
- (6) Any repair work that has been completed thus far and the date that work was completed;
- (7) A plan to complete the retrofit or replacement of the system;
- (8) The reasons why more than one year is necessary to retrofit to replace the system;
- (9) The date of notification to EPA; and
- (10) An estimate of when retrofit or replacement work will be completed.
- (i) If the estimated date of completion changes from the original estimate and results in moving the date of completion forward, documentation of the reason for these changes must be submitted within 30 days of occurring.
- (ii) If the estimated date of completion changes from the original estimate and results in moving the date of completion forward, the date of notification to EPA regarding this change and the estimate of when the work will be completed must be maintained and submitted.
- (p) (1) Owners or operators who wish to exclude purged refrigerants that are destroyed from annual leak rate calculations must maintain records onsite to support the amount of refrigerant