

**Pt. 63, Subpt. NNN, App. C**

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5.5 Add 50 mL of the hydroxylamine hydrochloride solution, measured with a graduated cylinder. Start the timer.

5.6 Stir for 5 minutes. Titrate to pH 4.0 with standardized 1.0 N sodium hydroxide.

Record the milliliters of titrant and the normality.

*6. Calculations*

$$\% \text{ FF} = \frac{\text{mL sodium hydroxide} \times \text{normality} \times 3.003}{\text{grams of sample}}$$

*7. Method Precision and Accuracy*

Test values should conform to the following statistical precision:

Variance = 0.005

Standard deviation = 0.07

95% Confidence Interval, for a single determination = 0.2

*8. Author*

This method was prepared by K. K. Tutin and M. L. Foster, Tacoma R&D Laboratory, Georgia-Pacific Resins, Inc. (Principle written by R. R. Conner.)

*9. References*

9.1 GPAM 2221.2.

9.2 PR&C TM 2.035.

9.3 Project Report, Comparison of Free Formaldehyde Procedures, January 1990, K. K. Tutin.

**APPENDIX C TO SUBPART NNN OF PART 63—METHOD FOR THE DETERMINATION OF PRODUCT DENSITY**

*1. Purpose*

The purpose of this test is to determine the product density of cured blanket insulation. The method is applicable to all cured board and blanket products.

*2. Equipment*

One square foot (12 in. by 12 in.) template, or templates that are multiples of one square foot, for use in cutting insulation samples.

*3. Procedure*

3.1 Obtain a sample at least 30 in. long across the machine width. Sample should be free of dirt or foreign matter.

3.2 Lay out the cutting pattern according to the plant's written procedure for the designated product.

3.2 Cut samples using one square foot (or multiples of one square foot) template.

3.3 Weigh product and obtain area weight (lb/ft<sup>2</sup>).

3.4 Measure sample thickness.

3.5 Calculate the product density:

Density (lb/ft<sup>3</sup>) = area weight (lb/ft<sup>2</sup>)/thickness (ft)

**Subpart OOO—National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins**

SOURCE: 65 FR 3290, Jan. 20, 2000, unless otherwise noted.

**§ 63.1400 Applicability and designation of affected sources.**

(a) *Applicability.* The provisions of this subpart apply to the owner or operator of processes that produce amino/phenolic resins and that are located at a plant site that is a major source as defined in § 63.2.

(b) *Affected source.* The affected source is:

(1) The total of all amino/phenolic resin process units (APPU);

(2) The associated heat exchange systems;

(3) Equipment required by, or utilized as a method of compliance with, this subpart which may include control devices and recovery devices;

(4) Equipment that does not contain organic hazardous air pollutants (HAP) and is located within an APPU that is part of an affected source;

(5) Vessels and equipment storing and/or handling material that contain no organic HAP and/or organic HAP as impurities only;

(6) Equipment that is intended to operate in organic HAP service for less than 300 hours during the calendar year;

(7) Each waste management unit; and

(8) Maintenance wastewater.

(c) *Existing affected source.* The affected source to which the existing source provisions of this subpart apply is defined in paragraph (b) of this section.

(d) *New affected source.* The affected source to which the new source provisions of this subpart apply is:

(1) Each affected source defined in paragraph (b) of this section that commences construction or reconstruction after December 14, 1998;

(2) Each additional group of one or more APPU and associated heat exchange systems that has the potential to emit 10 tons per year or more of any organic HAP or 25 tons per year or more of any combination of organic HAP that commences construction after December 14, 1998; or

(3) Each group of one or more process units and associated heat exchange systems that are converted to APPUs after December 14, 1998, that has the potential to emit 10 tons per year or more of any organic HAP or 25 tons per year or more of any combination of organic HAP.

(e) *APPUs without organic HAP.* An APPU that is part of an affected source, as defined in paragraph (c) or (d) of this section, but that does not use or manufacture any organic HAP, is not subject to any other provisions of this subpart and is not required to comply with the provisions of subpart A of this part. When requested by the Administrator, the owner or operator shall demonstrate that the APPU does not use or manufacture any organic HAP. Types of information that could document this determination include, but are not limited to, records of chemicals purchased for the process, analyses of process stream composition, engineering calculations, or process knowledge.

(f) *Exemption from equipment leak provisions.* Affected sources with actual annual production of amino/phenolic resin equal to or less than 800 megagrams per year (Mg/yr) for the 12-month period preceding December 14, 1998 are exempt from the equipment leak provisions specified in § 63.1410. The owner or operator utilizing this exemption shall recheck the actual annual production of amino/phenolic resins for each 12-month period following December 14, 1998. The beginning of each 12-month period shall be the anniversary of December 14, 1998. If the actual annual production of amino/phenolic resins is greater than 800 Mg/yr

for any 12-month period, the owner or operator shall comply with § 63.1410 for the life of the affected source or until the affected source is no longer subject to the provisions of this subpart.

(g) *Primary product determination and applicability.* For purposes of this paragraph, amino resins and phenolic resins shall be considered to be the same product and production time or production mass of amino and phenolic resins shall be combined for purposes of determining the primary product under this paragraph (g). If the owner or operator determines that a process unit is not an APPU under paragraphs (g)(1) through (4) of this section, the owner or operator shall, when requested by the Administrator, demonstrate that the process unit is not an APPU.

(1) *Applicability determinations for process units producing multiple products.* A process unit that produces more than one intended product at the same time is an APPU if amino/phenolic resin production accounts for the greatest percent of the annual design capacity on a mass basis. If a process unit has the same annual design capacity on a mass basis for two or more products, the process unit shall be an APPU if amino/phenolic resins are one of those products.

(2) *Flexible operations process unit determination based on operating time.* A flexible operations process unit is an APPU if amino/phenolic resins will be produced for the greatest operating time over the 5 years following December 14, 1998 at existing process units, or for the first year after the process unit begins production of any product for new process units.

(3) *Flexible operations process unit determination based on mass production basis.* A flexible operations process unit that will manufacture multiple products equally based on operating time is an APPU if amino/phenolic resins account for the greatest percentage of the expected production on a mass basis over the 5 years following December 14, 1998 at existing process units, or for the first year after the process unit begins production of any product for new process units.

(4) *Flexible operations process unit default determination.* If the owner or operator cannot determine whether or

not amino/phenolic resins are the primary product of a flexible operations process unit in accordance with paragraphs (g)(2) and (3) of this section, the flexible operations process unit shall be designated as an APPU if amino/phenolic resins were produced for 5 percent or greater of the total operating time since December 14, 1998 for existing process units. The flexible operations process unit shall be designated as an APPU if the owner or operator anticipates that amino/phenolic resins will be manufactured in the flexible operations process unit at any time in the first year after the date the unit begins production of any product for new process units.

(5) *Annual applicability determination for non-APPUs that have produced amino/phenolic resins.* Once per year beginning December 14, 2003, the owner or operator of each flexible operations process unit that is not designated as an APPU, but that has produced amino/phenolic resins at any time in the preceding 5-year period or since the date that the unit began production of any product, whichever is shorter, shall perform an evaluation to determine whether the process unit has become an APPU. A flexible operations process unit has become an APPU if amino/phenolic resins were produced for the greatest operating time over the preceding 5-year period or since the date that the process unit began production of any product, whichever is shorter.

(6) *Applicability determination for non-APPUs that have not produced amino/phenolic resins.* The owner or operator that anticipates the production of amino/phenolic resins in a process unit that is not designated as an APPU, and in which no amino/phenolic resins have been produced in the previous 5-year period or since the date that the process unit began production of any product, whichever is shorter, shall determine if the process unit will become an APPU. The owner or operator shall use the procedures in paragraphs (g)(1) through (4) of this section to determine if the process unit is designated as an APPU, with the following exception: for existing process units, production shall be projected for the 5 years following the date that the owner or operator anticipates initiating the produc-

tion of amino/phenolic resins, instead of the 5 years following December 14, 1998.

(7) *Redetermination of applicability to APPU that are flexible operations process units.* Whenever changes in production occur that could reasonably be expected to cause a flexible operations process unit to no longer be an APPU (i.e., amino/phenolic resins will no longer be the primary product according to the determination procedures in paragraphs (g)(2) through (4) of this section), the owner or operator shall reevaluate the status of the process unit as an APPU. A flexible operations process unit has ceased to be an APPU subject to this subpart if the following criteria are met:

(i) If amino/phenolic resins were not produced for the greatest operating time over the preceding 5-year period or since the date that the process unit began production of any product, whichever is shorter;

(ii) If the new primary product, which is not amino/phenolic resins, is subject to another subpart of this part; and

(iii) If the owner or operator has notified the Administrator of the pending change in status for the flexible operations process unit, as specified in § 63.1417(h)(4).

(8) *APPU terminating production of all amino/phenolic resins.* If an APPU terminates the production of all amino/phenolic resins and does not anticipate the production of any amino/phenolic resins in the future, the process unit is no longer an APPU and is not subject to this subpart after notification is made to the Administrator, as specified in § 63.1417(h)(4).

(h) *Storage vessel applicability determination.* The owner or operator of a storage vessel at a new affected source shall determine assignment to a process unit as follows:

(1) If a storage vessel is already subject to another subpart of part 63 on January 20, 2000, said storage vessel shall continue to be assigned to the process unit subject to the other subpart.

(2) If a storage vessel is dedicated to a single process unit, the storage vessel shall be assigned to that process unit.

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(3) If a storage vessel is shared among process units, then the storage vessel shall be assigned to that process unit located on the same plant site as the storage vessel that has the greatest input into or output from the storage vessel (i.e., said process unit has the predominant use of the storage vessel).

(4) If predominant use cannot be determined for a storage vessel that is shared among process units, and if one or more of those process units is an APPU subject to this subpart, the storage vessel shall be assigned to any of the APPUs.

(5) [Reserved]

(6) If the predominant use of a storage vessel varies from year to year, then predominant use shall be determined based on the use as follows:

(i) For existing affected sources, use shall be determined based on the following:

(A) The year preceding January 20, 2000; or

(B) The expected use for the 5 years following January 20, 2000.

(ii) For new affected sources, use shall be determined based on the first 5 years after initial start-up.

(7) Where the storage vessel is located in a tank farm (including a marine tank farm), the assignment of the storage vessel shall be determined according to paragraphs (h)(7)(i) and (ii) of this section. Only those storage vessels where a portion or all of the input into or output from the storage vessel is hardpiped directly to one or more process units are covered by this paragraph.

(i) The storage vessel is assigned to a process unit if the product or raw material entering or leaving the process unit flows directly into (or from) the storage vessel in the tank farm without passing through any intervening storage vessel. An intervening storage vessel means a storage vessel connected by hardpiping both to the process unit and to the storage vessel in the tank farm.

(ii) If there are two or more process units that meet the criteria of paragraph (h)(7)(i) of this section with respect to a storage vessel, the storage vessel shall be assigned to one of those process units according to the provi-

sions of paragraphs (h)(3) through (6) of this section.

(8) If the storage vessel begins receiving material from (or sending material to) a process unit that was not included in the initial determination, or ceases to receive material from (or send material to) a process unit, the owner or operator shall reevaluate the applicability of this subpart to the storage vessel according to the procedures in paragraphs (h)(3) through (7) of this section.

(i) *Applicability of other subparts to this subpart.* Paragraphs (i)(1) through (5) describe the applicability of other subparts to this subpart.

(1) After the compliance dates specified in this section, a storage vessel that is assigned to an affected source subject to this subpart that is also subject to and complying with the provisions of 40 CFR part 60, subpart Kb, shall continue to comply with 40 CFR part 60, subpart Kb. After the compliance dates specified in this section, a storage vessel that is assigned to an affected source subject to this subpart that is also subject to the provisions of 40 CFR part 60, subpart Kb, but the owner or operator has not been required to apply controls as part of complying with 40 CFR part 60, subpart Kb, is required to comply only with the provisions of this subpart. After the compliance dates specified in this section, said storage vessel shall no longer be subject to 40 CFR part 60, subpart Kb.

(2) Affected sources subject to this subpart that are also subject to the provisions of subpart Q of this part shall comply with both subparts.

(3) After the compliance dates specified in this section, an affected source subject to this subpart that is also subject to the provisions of 40 CFR part 60, subpart VV, or the provisions of subpart H of this part, is required to comply only with the provisions of this subpart. After the compliance dates specified in this section, said source shall no longer be subject to 40 CFR part 60, subpart VV, or subpart H of this part, as appropriate.

(4) After the applicable compliance date specified in this subpart, if a heat

exchange system subject to this subpart is also subject to a standard identified in paragraph (i)(4)(i) or (ii) of this section, compliance with the applicable provisions of the standard identified in paragraph (i)(4)(i) or (ii) of this section shall constitute compliance with the applicable provisions of this subpart with respect to that heat exchange system.

(i) Subpart F of this part.

(ii) A subpart of this part that requires compliance with § 63.104 (e.g., subpart U of this part).

(5) After the compliance dates specified in this subpart, if any combustion device, recovery device or recapture device subject to this subpart is also subject to monitoring, recordkeeping, and reporting requirements in 40 CFR part 264, subparts AA, BB, or CC, or is subject to monitoring and recordkeeping requirements in 40 CFR part 265, subparts AA, BB, or CC, and the owner or operator complies with the periodic reporting requirements under 40 CFR part 264, subparts AA, BB, or CC, that would apply to the device if the facility had final-permitted status, the owner or operator may elect to comply either with the monitoring, recordkeeping and reporting requirements of this subpart, or with the monitoring, recordkeeping and reporting requirements in 40 CFR parts 264 and/or 265, as described in this paragraph, which shall constitute compliance with the monitoring, recordkeeping and reporting requirements of this subpart. If the owner or operator elects to comply with the monitoring, recordkeeping, and reporting requirements in 40 CFR parts 264 and/or 265, the owner or operator shall report all information required by § 63.1417(f), Periodic Reports, as part of complying with the requirements of 40 CFR parts 264 and/or 265.

(j) *Applicability of general provisions.* Table 1 of this subpart specifies the provisions of subpart A of this part that apply and do not apply to owners and operators of affected sources subject to this subpart.

(k) *Applicability of this subpart.* (1) The emission limitations set forth in this subpart and the emission limitations referred to in this subpart shall apply at all times except during periods of non-operation of the affected

source (or specific portion thereof) resulting in cessation of the emissions to which this subpart applies.

(2) The emission limitations set forth in 40 CFR part 63, subpart UU, as referred to in § 63.1410, shall apply at all times except during periods of non-operation of the affected source (or specific portion thereof) in which the lines are drained and depressurized resulting in cessation of the emissions to which § 63.1410 applies.

(3) The owner or operator shall not shut down items of equipment that are required or utilized for compliance with this subpart during times when emissions are being routed to such items of equipment if the shutdown would contravene requirements of this subpart applicable to such items of equipment.

(4) *General duty.* At all times, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the Administrator, which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[65 FR 3290, Jan. 20, 2000, as amended at 71 FR 20460, Apr. 20, 2006; 79 FR 60929, Oct. 8, 2014; 83 FR 51852, Oct. 15, 2018]

#### § 63.1401 Compliance schedule.

(a) New affected sources that commence construction or reconstruction after December 14, 1998, shall be in compliance with this subpart (except § 63.1411(c)) upon initial start-up or January 20, 2000, whichever is later. New affected sources that commenced construction or reconstruction after December 14, 1998, but on or before January 9, 2014, shall be in compliance

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with the pressure relief device monitoring requirements of § 63.1411(c) by October 9, 2017. New affected sources that commence construction or reconstruction after January 9, 2014, shall be in compliance with the pressure relief device monitoring requirements of § 63.1411(c) upon initial startup or by October 8, 2014.

(b) Existing affected sources shall be in compliance with this subpart (except §§ 63.1404, 63.1405, and 63.1411(c)) no later than 3 years after January 20, 2000. Existing affected sources shall be in compliance with the storage vessel requirements of § 63.1404 and the pressure relief device monitoring requirements of § 63.1411(c) by October 9, 2017. Existing affected sources shall be in compliance with the continuous process vent requirements of § 63.1405(b) by October 15, 2019.

(c) If an affected source using the exemption provided in § 63.1400(f) has an actual annual production of amino/phenolic resins exceeding 800 Mg/yr for any 12-month period, the owner or operator shall comply with the provisions of § 63.1410 for the affected source within 3 years. The starting point for the 3-year compliance time period shall be the end of the 12-month period in which actual annual production for amino/phenolic resins exceeds 800 Mg/yr.

(d) Pursuant to section 112(i)(3)(B) of the Clean Air Act, an owner or operator may request an extension allowing the existing affected source up to 1 additional year to comply with section 112(d) standards. For purposes of this subpart, a request for an extension shall be submitted to the permitting authority as part of the operating permit application or to the Administrator as a separate submittal or as part of the Precompliance Report.

(1) Requests for extensions shall be submitted no later than 120 days prior to the compliance dates specified in paragraphs (a) and (b) of this section and shall include the data described in § 63.6(i)(6)(i)(A), (B), and (D). The dates specified in § 63.6(i) for submittal of requests for extensions shall not apply to this subpart.

(2) An owner or operator may submit a compliance extension request less than 120 days prior to the compliance dates specified in paragraphs (a) and (b)

of this section provided that the need for the compliance extension arose after that date, and the need arose due to circumstances beyond reasonable control of the owner or operator. This request shall include, in addition to the information specified in § 63.6(i)(6)(i)(A), (B), and (D), a statement of the reasons additional time is needed and the date when the owner or operator first learned of the circumstances necessitating a request for compliance extension.

(e) All terms in this subpart that define a period of time for completion of required tasks (e.g., weekly, monthly, quarterly, annual), unless specified otherwise, refer to the standard calendar periods.

(1) Notwithstanding time periods specified in this subpart for completion of required tasks, such time periods may be changed by mutual agreement between the owner or operator and the Administrator, as specified in subpart A of this part (e.g., a period could begin on the compliance date or another date, rather than on the first day of the standard calendar period). For each time period that is changed by agreement, the revised period shall remain in effect until it is changed. A new request is not necessary for each recurring period.

(2) Where the period specified for compliance is a standard calendar period, if the initial compliance date occurs after the beginning of the period, compliance shall be required according to the schedule specified in paragraph (e)(2)(i) or (ii) of this section, as appropriate:

(i) Compliance shall be required before the end of the standard calendar period within which the compliance deadline occurs, if there remain at least 3 days for tasks that must be performed weekly, at least 2 weeks for tasks that must be performed monthly, at least 1 month for tasks that must be performed each quarter, or at least 3 months for tasks that must be performed annually; or

(ii) In all other cases, compliance shall be required before the end of the first full standard calendar period after the period within which the initial compliance deadline occurs.

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(3) In all instances where a provision of this subpart requires completion of a task during each of multiple successive periods, an owner or operator may perform the required task at any time during the specified period, provided that the task is conducted at a reasonable interval after completion of the task during the previous period.

[65 FR 3290, Jan. 20, 2000, as amended at 79 FR 60929, Oct. 8, 2014; 83 FR 51852, Oct. 15, 2018]

§ 63.1402 Definitions.

(a) The following terms used in this subpart shall have the meaning given them in §§ 63.2, 63.101, 63.111, and 63.161 as specified after each term:

- Act (§ 63.2)
- Administrator (§ 63.2)
- Annual average concentration (§ 63.111)
- Annual average flow rate (§ 63.111)
- Automated monitoring and recording system (§ 63.111)
- Boiler (§ 63.111)
- Bottoms receiver (§ 63.161)
- By compound (§ 63.111)
- By-product (§ 63.101)
- Car-seal (§ 63.111)
- Closed-vent system (§ 63.111)
- Combustion device (§ 63.111)
- Commenced (§ 63.2)
- Compliance date (§ 63.2)
- Connector (§ 63.161)
- Construction (§ 63.2)
- Continuous monitoring system (§ 63.2)
- Distillation unit (§ 63.111)
- Duct work (§ 63.161)
- Emission standard (§ 63.2)
- EPA (§ 63.2)
- External floating roof (§ 63.111)
- First attempt at repair (§ 63.111)
- Flame zone (§ 63.111)
- Floating roof (§ 63.111)
- Flow indicator (§ 63.111)
- Fuel gas (§ 63.101)
- Fuel gas system (§ 63.101)
- Hard-piping (§ 63.111)
- Hazardous air pollutant (§ 63.2)
- Impurity (§ 63.101)
- In organic hazardous air pollutant service (§ 63.161)
- Incinerator (§ 63.111)
- Instrumentation system (§ 63.161)
- Internal floating roof (§ 63.111)
- Lesser quantity (§ 63.2)
- Major source (§ 63.2)
- Open-ended valve or line (§ 63.161)
- Operating permit (§ 63.101)
- Organic monitoring device (§ 63.111)
- Owner or operator (§ 63.2)
- Performance evaluation (§ 63.2)
- Performance test (§ 63.2)
- Permitting authority (§ 63.2)

- Plant site (§ 63.101)
- Potential to emit (§ 63.2)
- Pressure relief device or valve (§ 63.161)
- Primary fuel (§ 63.111)
- Process heater (§ 63.111)
- Process unit shutdown (§ 63.161)
- Process wastewater (§ 63.111)
- Reactor (§ 63.111)
- Reconstruction (§ 63.2)
- Routed to a process or route to a process (§ 63.161)
- Run (§ 63.2)
- Secondary fuel (§ 63.111)
- Sensor (§ 63.161)
- Specific gravity monitoring device (§ 63.111)
- State (§ 63.2)
- Surge control vessel (§ 63.161)
- Temperature monitoring device (§ 63.111)
- Test method (§ 63.2)
- Total resource effectiveness (TRE) index value (§ 63.111)
- Treatment process (§ 63.111)
- Unit operation (§ 63.101)
- Visible emission (§ 63.2)

(b) All other terms used in this subpart shall have the meaning given them in this section. If a term is defined in § 63.2, § 63.101, § 63.111, or § 63.161 or defined in 40 CFR part 63, subparts SS, UU, or WW and in this section, it shall have the meaning given in this section for purposes of this subpart.

*Aggregate batch vent stream* means a process vent containing emissions from at least one reactor batch process vent and at least one additional reactor or non-reactor batch process vent where the emissions are ducted, hardpiped, or otherwise connected together for a continuous flow.

*Amino resin* means a thermoset resin produced through the reaction of formaldehyde, or a formaldehyde containing solution (e.g., aqueous formaldehyde), with compound(s) that contain the amino group; these compounds include melamine, urea, and urea derivatives. Formaldehyde substitutes are exclusively aldehydes.

*Amino/phenolic resin* means one or both of the following:

- (1) Amino resin; or
- (2) Phenolic resin.

*Amino/phenolic resin. Process unit (APPU)* means a collection of equipment assembled and connected by hardpiping or ductwork used to process raw materials and to manufacture an amino/phenolic resin as its primary product. This collection of equipment includes unit operations; process vents; storage vessels, as determined in

§ 63.1400(h); and the equipment that is subject to the equipment leak provisions as specified in § 63.1410. Utilities, lines and equipment not containing process fluids, and other non-process lines, such as heating and cooling systems which do not combine their materials with those in the processes they serve, are not part of the amino/phenolic resin process unit. An amino/phenolic resin process unit consists of more than one unit operation.

*Back-end continuous process vent* means a continuous process vent for operations related to processing liquid resins into a dry form. Back-end process operations include, but are not limited to, flaking, grinding, blending, mixing, drying, pelletizing, and other finishing operations, as well as latex and crumb storage. Back-end does not include storage and loading of finished product or emission points that are regulated under §§ 63.1404 or 63.1409 through 63.1411 of this subpart.

*Batch cycle* means the operational step or steps, from start to finish, that occur as part of a batch unit operation.

*Batch emission episode* means a discrete emission venting episode associated with a single batch unit operation. Multiple batch emission episodes may occur from a single batch unit operation.

*Batch mode* means the discontinuous bulk movement of material through a unit operation. Mass, temperature, concentration, and other properties may vary with time. For a unit operation operated in a batch mode (i.e., batch unit operation), the addition of material and withdrawal of material do not typically occur simultaneously.

*Batch process vent* means a process vent from a batch unit operation within an affected source. Batch process vents are either reactor batch process vents or non-reactor batch process vents.

*Batch unit operation* means a unit operation operated in a batch mode.

*Block* means the time period that comprises a single batch cycle.

*Combustion device burner* means a device designed to mix and ignite fuel and air to provide a flame to heat and oxidize waste organic vapors in a combustion device.

*Continuous mode* means the continuous movement of material through a unit operation. Mass, temperature, concentration, and other properties typically approach steady-state conditions. For a unit operation operated in a continuous mode (i.e., continuous unit operation), the simultaneous addition of raw material and withdrawal of product is typical.

*Continuous process vent* means a process vent from a continuous unit operation within an affected source. Process vents that are serving as control devices are not subject to additional control requirements.

*Continuous record* means documentation, either in hard copy or computer readable form, of data values measured at least once every 15 minutes and recorded at the frequency specified in § 63.1416(c) or (h).

*Continuous recorder* means a data recording device that either records an instantaneous data value at least once every 15 minutes or records 1 hour or more frequent block average values.

*Continuous unit operation* means a unit operation operated in a continuous mode.

*Control device* means any combustion device, recovery device, or recapture device. Such equipment includes, but is not limited to, absorbers, carbon adsorbers, condensers, incinerators, flares, boilers, and process heaters. For continuous process vents, recapture devices are considered control devices but recovery devices are not considered control devices. Condensers operating as process condensers are not considered control devices. For a condenser that sometimes operates as a process condenser to be considered a control device, it shall not be operating as a process condenser for a given batch emission episode, and it shall recycle of the recovered material within the process.

*Control technology* means any process modification or use of equipment that reduces organic HAP emissions. Examples include, but are not limited to, product reformulation to reduce solvent content and/or use, batch cycle time reduction to reduce the duration of emissions, reduction of nitrogen purge rate, and the lowering of process condenser coolant temperatures.



*Controlled organic HAP emissions* means the quantity of organic HAP discharged to the atmosphere from a control device.

*Emission point* means an individual continuous process vent, batch process vent, aggregate batch vent stream, storage vessel, equipment leak, or heat exchange system.

*Equipment* means, for the purposes of the provisions in § 63.1410, each pump, compressor, agitator, pressure relief device, sampling connection system, open-ended valve or line, valve, connector, and instrumentation system in organic HAP service; and any control devices or systems required by § 63.1410. For purposes of this subpart, surge control vessels and bottom receivers are not equipment for purposes of regulating equipment leak emissions. Surge control vessels and bottoms receivers are regulated as non-reactor batch process vents for the purposes of this subpart.

*Equipment leak* means emissions of organic HAP from a pump, compressor, agitator, pressure relief device, sampling connection system, open-ended valve or line, valve, or instrumentation system that either contains or contacts a fluid (liquid or gas) that is at least 5 percent by weight of total organic HAP.

*Existing process unit* means any process unit that is not a new process unit.

*Flexible operations process unit* means a process unit that periodically manufactures different chemical products, polymers, or resins by alternating raw materials or operating conditions. These units are also referred to as campaign plants or blocked operations.

*Front-end continuous process vent* means a continuous process vent for operations in an APPU related to producing liquid resins, including any product recovery, stripping and filtering operations, and prior to any flaking or drying operations.

*Heat exchange system* means any cooling tower system or once-through cooling water system (e.g., river or pond water) designed and intended to operate to not allow contact between the cooling medium and process fluid or gases (i.e., a noncontact system). A heat exchange system may include more than one heat exchanger and may

include recirculating or once-through cooling systems.

*Highest-HAP recipe* for a product means the recipe of the product with the highest total mass of organic HAP charged to the reactor during the production of a single batch of product.

*Initial start-up* means the first time a new or reconstructed affected source begins production, or, for equipment added or changed, the first time the equipment is put into operation. Initial start-up does not include operation solely for testing equipment. Initial start-up does not include subsequent start-ups of an affected source or portion thereof following malfunctions or shutdowns, or following changes in product for flexible operation process units, or following recharging of equipment in batch operation. Further, for purposes of §§ 63.1401 and 63.1410, initial start-up does not include subsequent start-ups of affected sources or portions thereof following malfunctions or process unit shutdowns.

*Inprocess recycling* means a recycling operation in which recovered material is used by a unit operation within the same affected source. It is not necessary for recovered material to be used by the unit operation from which they were recovered.

*Maintenance wastewater* means wastewater generated by the draining of process fluid from components in the APPU into an individual drain system prior to or during maintenance activities. Maintenance wastewater can be generated during planned and unplanned shutdowns and during periods not associated with a shutdown. Examples of activities that can generate maintenance wastewaters include descaling of heat exchanger tubing bundles, cleaning of distillation column traps, draining of low legs and high point bleeds, draining of pumps into an individual drain system, and draining of portions of the APPU for repair. The generation of wastewater from the routine rinsing or washing of equipment in batch operation between batches is not maintenance wastewater for the purposes of this subpart.

*Malfunction* means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment or process equipment, or failure

of a process to operate in a normal or usual manner, or opening of a safety device which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

*Maximum representative operating conditions* means, for purposes of testing or measurements required by §63.1413, those conditions which reflect the highest organic HAP emissions reasonably expected to be vented to the control device or emitted to the atmosphere. For affected sources that produce the same product(s) using multiple recipes, the production of the highest-HAP recipe is reflective of maximum representative operating conditions.

*Maximum true vapor pressure* means the equilibrium partial pressure exerted by the total organic HAP in the stored liquid at the temperature equal to the highest calendar-month average of the liquid storage temperature for liquids stored above or below the ambient temperature, or at the local maximum monthly average temperature as reported by the National Weather Service for liquids stored at the ambient temperature, as determined:

(1) In accordance with methods described in American Petroleum Institute Publication 2517, Evaporative Loss From External Floating-Roof Tanks (incorporated by reference as specified in §63.14); or

(2) As obtained from standard reference texts; or

(3) As determined by the American Society for Testing and Materials Method D2879-83 (incorporated by reference as specified in §63.14); or

(4) Any other method approved by the Administrator.

*Multicomponent system* means, as used in conjunction with batch process vents, a stream whose liquid and/or vapor contains more than one compound.

*Net heating value* means the difference between the heat value of the recovered chemical stream and the minimum heat value required to ensure a stable flame in the combustion device. This difference must have a positive value when used in the context of

“recovering chemicals for fuel value” (e.g., in the definition of “recovery device” in this section).

*New process unit* means a process unit for which the construction or reconstruction commenced after December 14, 1998.

*Non-reactor process vent* means a batch or continuous process vent originating from a unit operation other than a reactor. Non-reactor process vents include, but are not limited to, process vents from filter presses, surge control vessels, bottoms receivers, weigh tanks, and distillation systems.

*Non-solvent-based resin* means an amino/phenolic resin manufactured without the use of a solvent as described in the definition of solvent-based resin.

*On-site* or *On site* means, with respect to records required to be maintained by this subpart or required by another subpart referenced by this subpart, records are stored at a location within a major source which encompasses the affected source. On-site includes, but is not limited to, storage at the affected source or APPU to which the records pertain, or storage in central files elsewhere at the major source.

*Operating day* means the period defined by the owner or operator in the Notification of Compliance Status required by §63.1417(e). The operating day is the period for which daily average monitoring values and batch cycle daily average monitoring values are determined.

*Organic hazardous air pollutant(s) (organic HAP)* means one or more of the chemicals listed in Table 2 of this subpart or any other chemical which is:

(1) Knowingly produced or introduced into the manufacturing process other than as an impurity; and

(2) Listed in Table 2 of subpart F of this part.

*Phenolic resin* means a thermoset resin that is a condensation product of formaldehyde and phenol, or a formaldehyde substitute and/or a phenol substitute. Substitutes for formaldehyde are exclusively aldehydes and include acetaldehyde or furfuraldehyde. Substitutes for phenol include other phenolic starting compounds such as cresols, xylenols, p-tert-butylphenol, p-

phenylphenol, nonylphenol, and resorcinols.

*Pressure release* means the emission of materials resulting from the system pressure being greater than the set pressure of the pressure relief device. This release can be one release or a series of releases over a short time period.

*Process condenser* means a condenser functioning so as to recover material as an integral part of a unit operation(s). A process condenser shall support a vapor-to-liquid phase change for periods of equipment operation that are at or above the boiling or bubble point of substance(s) at the liquid surface. Examples of process condensers include distillation condensers, reflux condensers, and condensers used in stripping or flashing operations. In a series of condensers, all condensers up to and including the first condenser with an exit gas temperature below the boiling or bubble point of the substance(s) at the liquid surface are considered to be process condensers. All condensers in line prior to a vacuum source are considered process condensers when the vacuum source is being operated. A condenser may be a process condenser for some batch emission episodes and, when meeting certain conditions, may be a control device for other batch emission episodes.

*Process unit* means a collection of equipment assembled and connected by hardpiping or ductwork used to process raw materials and to manufacture a product.

*Process vent* means a gaseous emission stream from a unit operation where the gaseous emission stream is discharged to the atmosphere either directly or after passing through one or more control, recovery, or recapture devices. Unit operations that may have process vents are condensers, distillation units, reactors, or other unit operations within the APPU. Emission streams that are undiluted and uncontrolled containing less than 50 parts per million volume (ppmv) organic HAP, as determined through process knowledge that no organic HAP are present in the emission stream or using an engineering assessment as discussed in § 63.1414(d)(6); test data using the test methods specified in § 63.1414(a); or

any other test method that has been validated according to the procedures in Method 301 of appendix A of this part are not considered process vents. Process vents exclude relief valve discharges, gaseous streams routed to a fuel gas system(s), and leaks from equipment regulated under § 63.1410. Process vents that are serving as control devices are not subject to additional control requirements.

*Product* means a resin, produced using the same monomers and varying in additives (e.g., initiators, terminators, etc.), catalysts, or in the relative proportions of monomers, that is manufactured by a process unit. With respect to resins, more than one recipe may be used to produce the same product. Product also means a chemical that is not a resin that is manufactured by a process unit. By-products, isolated intermediates, impurities, wastes, and trace contaminants are not considered products.

*Reactor process vent* means a batch or continuous process vent originating from a reactor.

*Recapture device* means an individual unit of equipment capable of and used for the purpose of recovering chemicals, but not normally for use, reuse, or sale. For example, a recapture device may recover chemicals primarily for disposal. Recapture devices include, but are not limited to, absorbers, carbon adsorbers, and condensers.

*Recipe* means a specific composition from among the range of possible compositions that may occur within a product, as defined in this section. A recipe is determined by the proportions of monomers and, if present, other reactants and additives that are used to make the recipe. For example, a methylated amino resin and a non-methylated amino resin are both different recipes of the same product, amino resin.

*Recovery device* means an individual unit of equipment capable of and normally used for the purpose of recovering chemicals for use, reuse, fuel value (i.e., net heating value); or for sale for use, reuse, or fuel value (i.e.,

net heating value). Examples of equipment that may be recovery devices include absorbers, carbon adsorbers, condensers, oil-water separators or organic-water separators, or organic removal devices such as decanters, strippers, or thin-film evaporation units. For the purposes of the monitoring, recordkeeping, or reporting requirements of this subpart, recapture devices are considered recovery devices.

*Safety device* means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device which functions exclusively to prevent physical damage or permanent deformation to a unit or its air emission control equipment by venting gases or vapors directly to the atmosphere during unsafe conditions resulting from an unplanned, accidental, or emergency event. For the purposes of this subpart, a safety device is not used for routine venting of gases or vapors from the vapor headspace underneath a cover such as during filling of the unit or to adjust the pressure in this vapor headspace in response to normal daily diurnal ambient temperature fluctuations. A safety device is designed to remain in a closed position during normal operations and open only when the internal pressure, or another relevant parameter, exceeds the device threshold setting applicable to the air emission control equipment as determined by the owner or operator based on manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, combustible, explosive, reactive, or hazardous materials.

*Seal* means, for the purpose of complying with the requirements of § 63.1033(b), that instrument monitoring of the open-ended valve or line conducted according to the method specified in § 63.1023(b) and, as applicable, § 63.1023(c), indicates no readings of 500 parts per million or greater.

*Shutdown* means for purposes including, but not limited to, periodic maintenance, replacement of equipment, or repair, the cessation of operation of an affected source, an APPU(s) within an affected source, or equipment required or used to comply with this subpart, or

the emptying or degassing of a storage vessel. For purposes of the batch process vent provisions in §§ 63.1406 through 63.1408, the cessation of equipment in batch operations is not a shutdown, unless the equipment undergoes maintenance, is replaced, or is repaired.

*Solvent-based resin* means an amino/phenolic resin that consumes a solvent (i.e., methanol, xylene) as a reactant in the resin producing reaction. The use of a solvent as a carrier (i.e., adding methanol to the product/water solution after the reaction is complete) does not meet this definition.

*Start-up* means the setting into operation of an affected source, an APPU(s) within an affected source, a unit operation within an affected source, or equipment required or used to comply with this subpart, or a storage vessel after emptying and degassing. For both continuous and batch unit operations, start-up includes initial start-up and operation solely for testing equipment. For both continuous and batch unit operations, start-up does not include the recharging of equipment in batch operation. For continuous unit operations, start-up includes transitional conditions due to changes in product for flexible operation process units. For batch unit operations, start-up does not include transitional conditions due to changes in product for flexible operation process units.

*Steady-state conditions* means that all variables (temperatures, pressures, volumes, flow rates, etc.) in a process do not vary significantly with time; minor fluctuations about constant mean values may occur.

*Storage vessel* means a tank or other vessel that is used to store liquids that contain one or more organic HAP. Storage vessels do not include:

- (1) Vessels permanently attached to motor vehicles such as trucks, railcars, barges, or ships;
- (2) Pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere;
- (3) Vessels with capacities smaller than 38 cubic meters;
- (4) Vessels and equipment storing and/or handling material that contains no organic HAP and/or organic HAP as impurities only;
- (5) Wastewater storage tanks;

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(6) Surge control vessels or bottoms receivers; and

(7) Vessels and equipment storing and/or handling amino/phenolic resin.

*Supplemental combustion air* means the air that is added to a vent stream after the vent stream leaves the unit operation. Air that is part of the vent stream as a result of the nature of the unit operation is not considered supplemental combustion air. Air required to operate combustion device burner(s) is not considered supplemental combustion air.

*Uncontrolled organic HAP emissions* means the organic HAP emitted from a unit operation prior to introduction of the emission stream into a control device. Uncontrolled HAP emissions are determined after any condenser that is operating as a process condenser. If an emission stream is not routed to a control device, uncontrolled organic HAP emissions are those organic HAP emissions released to the atmosphere.

*Vent stream*, as used in reference to batch process vents, aggregate batch vent streams, continuous process vents, and storage vessels, means the emissions from that emission point.

*Waste management unit* means the equipment, structure(s), and/or device(s) used to convey, store, treat, or dispose of wastewater streams or residuals. Examples of waste management units include: wastewater tanks, surface impoundments, individual drain systems, and biological wastewater treatment units. Examples of equipment that may be waste management units include containers, air flotation units, oil-water separators or organic-water separators, or organic removal devices such as decanters, strippers, or thin-film evaporation units. If such equipment is used for recovery, then it is part of an APPU and is not a waste management unit.

*Wastewater* is either a process wastewater or maintenance wastewater and means water that:

(1) Contains either:

(i) An annual average concentration of organic HAP, as indicated on Table 2 of this subpart, of at least 5 parts per million by weight and has an annual average flow rate of 0.02 liter per minute or greater; or

(ii) An annual average concentration of organic HAP, as indicated on Table 2 of this subpart, of at least 10,000 parts per million by weight at any flow rate.

(2) Is discarded from an APPU that is part of an affected source.

(3) Does not include:

(i) Stormwater from segregated sewers;

(ii) Water from fire-fighting and deluge systems in segregated sewers;

(iii) Spills;

(iv) Water from safety showers;

(v) Water from testing of deluge systems; and

(vi) Water from testing of fire-fighting systems.

*Wastewater stream* means a stream that contains wastewater as defined in this section.

[65 FR 3290, Jan. 20, 2000, as amended at 71 FR 20460, Apr. 20, 2006; 79 FR 60929, Oct. 8, 2014; 83 FR 51852, Oct. 15, 2018]

**§ 63.1403 Emission standards.**

(a) *Provisions of this subpart.* Except as allowed under paragraph (b) of this section, the owner or operator of an affected source shall comply with the provisions of §§ 63.1404 through 63.1410, as appropriate. When emissions are vented to a control device or control technology as part of complying with this subpart, emissions shall be vented through a closed vent system meeting the requirements of 40 CFR part 63, subpart SS (national emission standards for closed vent systems, control devices, recovery devices and routing to a fuel gas system or a process).

(b) *Combined emission streams.* When emissions of different kinds (e.g., emissions from continuous process vents, storage vessels, etc.) are combined at a new affected source, and at least one of the emission streams would be required by this subpart to apply controls in the absence of combination with other emission streams, the owner or operator shall comply with the requirements of paragraph (b)(1) or (2) of this section, as appropriate.

(1) For any combined vent stream that includes one or more aggregate batch vent streams, comply with the provisions for aggregate batch vent streams.

(2) For any combined vent stream that does not include one or more aggregate batch vent streams:

(i) Reactor batch process vents and non-reactor batch process vents shall comply with the provisions for reactor batch process vents and non-reactor batch process vents, as appropriate.

(ii) The remaining emissions (i.e., storage vessel and/or continuous process vent emissions) included in the combined vent stream shall comply the provisions for storage vessels when storage vessel emissions are included and shall comply with the provisions for continuous process vents in the absence of storage vessel emissions (i.e., when only continuous process vents are included).

(c) *Compliance for flexible operations process units.* With the exceptions specified in paragraphs (c)(1) and (2) of this section, owners or operators of APPUs that are flexible operations process units shall comply with the provisions of this subpart at all times, regardless of the product being manufactured. Once it has been determined that an emission point requires control during manufacture of amino/phenolic resins, that emission point shall be controlled at all times regardless of the product being manufactured.

(1) When a flexible operations process unit is manufacturing a product in which no organic HAP are used or manufactured, the owner or operator is not required to comply with the provisions of this subpart or with the provisions of subpart A of this part during manufacture of that product. When requested by the Administrator, the owner or operator shall demonstrate that no organic HAP are used or manufactured.

(2) When a flexible operations process unit is manufacturing a product subject to subpart GGG of this part, the owner or operator is not required to comply with the provisions of this subpart during manufacture of that product (i.e., a pharmaceutical).

[65 FR 3290, Jan. 20, 2000, as amended at 83 FR 51852, Oct. 15, 2018]

#### § 63.1404 Storage vessel provisions.

(a) *Emission standards.* For each storage vessel located at a new or existing affected source that has a capacity of

greater than or equal to 20,000 gallons, but less than 40,000 gallons, and vapor pressure of 1.9 pounds per square inch absolute (psia) or greater; has a capacity of greater than or equal to 40,000 gallons, but less than 90,000 gallons, and vapor pressure of 0.75 psia or greater; or has a capacity of 90,000 gallons or greater and vapor pressure of 0.15 psia or greater, the owner or operator shall comply with either paragraph (a)(1) or (2) of this section. As an alternative to complying with paragraph (a) of this section, an owner or operator may comply with paragraph (b) of this section.

(1) Reduce emissions of total organic HAP by 95 weight-percent. Control shall be achieved by venting emissions through a closed vent system to any combination of control devices meeting the requirements of 40 CFR part 63, subpart SS (national emission standards for closed vent systems, control devices, recovery devices and routing to a fuel gas system or a process). When complying with the requirements of 40 CFR part 63, subpart SS, the following apply for purposes of this subpart:

(i) Design evaluations are allowed for control devices that control emission points with total emissions less than 10 tons of organic HAP per year before control (i.e., small control devices).

(ii) When 40 CFR part 63, subpart SS refers to specific test methods for the measurement of organic HAP concentration, the test methods presented in § 63.1414(a) shall be used.

(iii) The option to measure TOC instead of organic HAP, as a basis for demonstrating compliance, is not allowed.

(iv) Excused excursions are not allowed.

(v) The provisions in § 63.1403(b), rather than the provisions in § 63.982(f), are to be followed for combined vent streams.

(vi) When a scrubber is used as a control device, the owner or operator shall follow the guidance provided in this subpart for design evaluations or performance tests, as appropriate, and for monitoring, recordkeeping, and reporting.

(vii) When there are conflicts between the due dates for reports presented in 40 CFR part 63, subpart SS and this subpart, reports shall be submitted according to the due dates presented in this subpart.

(viii) When there are conflicts between the recordkeeping and reporting requirements presented in 40 CFR part 63, subpart SS and this subpart, the owner or operator shall either follow both sets of requirements (i.e., follow the requirements in 40 CFR part 63, subpart SS for emission points covered by 40 CFR part 63, subpart SS and follow the requirements of this subpart for emission points covered by this subpart) or shall follow the set of requirements they prefer. If an owner or operator chooses to follow just one set of requirements, the owner or operator shall identify which set of requirements are being followed and which set of requirements are being disregarded in the appropriate report.

(2) Comply with the requirements of 40 CFR part 63, subpart WW (national emission standards for storage vessels (control level 2)). When complying with the requirements of 40 CFR part 63, subpart WW, the following apply for purposes of this subpart:

(i) When there are conflicts between the due dates for reports presented in 40 CFR part 63, subpart WW and this subpart, reports shall be submitted according to the due dates presented in this subpart.

(ii) When there are conflicts between the recordkeeping and reporting requirements presented in 40 CFR part 63, subpart WW and this subpart, the owner or operator shall either follow both sets of requirements (i.e., follow the requirements in 40 CFR part 63, subpart WW for emission points covered by 40 CFR part 63, subpart WW and follow the requirements of this subpart for emission points covered by this subpart) or shall follow the set of requirements they prefer. If an owner or operator chooses to follow just one set of requirements, the owner or operator shall identify which set of requirements are being followed and which set of requirements are being disregarded in the appropriate report.

(b) *Alternative standard.* Vent all organic HAP emissions from a storage

vessel meeting either of the capacity and vapor pressure criteria specified in paragraph (a) of this section to a combustion control device achieving an outlet organic HAP concentration of 20 ppmv or less or to a non-combustion control device achieving an outlet organic HAP concentration of 50 ppmv or less. Any storage vessels that are not vented to a control device meeting these conditions shall be controlled in accordance with the provisions of paragraph (a)(1) or (2) of this section.

(c) Whenever gases or vapors containing HAP are routed from a storage vessel through a closed-vent system connected to a control device used to comply with the requirements of paragraph (a) or (b) of this section, the control device must be operating except as provided for in paragraph (c)(1) or (2) of this section.

(1) The control device may only be bypassed for the purpose of performing planned routine maintenance of the control device. When the control device is bypassed, the owner or operator must comply with paragraphs (c)(1)(i) through (iii) of this section.

(i) The control device may only be bypassed when the planned routine maintenance cannot be performed during periods that storage vessel emissions are vented to the control device.

(ii) On an annual basis, the total time that the closed-vent system or control device is bypassed to perform routine maintenance shall not exceed 240 hours per each calendar year.

(iii) The level of material in the storage vessel shall not be increased during periods that the closed-vent system or control device is bypassed to perform planned routine maintenance.

(2) The gases or vapors containing HAP are routed from the storage vessel through a closed-vent system connected to an alternate control device meeting the requirements of paragraph (a)(1) or the alternative standard in paragraph (b) of this section.

[65 FR 3290, Jan. 20, 2000, as amended at 79 FR 60930, Oct. 8, 2014; 83 FR 51852, Oct. 15, 2018]

**§ 63.1405 Continuous process vent provisions.**

(a) *Emission standards for new affected sources.* For each continuous process

vent located at a new affected source with a Total Resource Effectiveness (TRE) index value, as determined following the procedures specified in § 63.1412(j), less than or equal to 1.2, the owner or operator shall comply with either paragraph (a)(1) or (2) of this section. As an alternative to complying with paragraph (a) of this section, an owner or operator may comply with paragraph (c)(1) of this section.

(1) Vent all emissions of organic HAP to a flare.

(2) Reduce emissions of total organic HAP by 85 weight-percent. Control shall be achieved by venting emissions through a closed vent system to any combination of control devices meeting the requirements of 40 CFR part 63, subpart SS (national emission standards for closed vent systems, control devices, recovery devices and routing to a fuel gas system or process). When complying with the requirements of 40 CFR part 63, subpart SS, the following apply for purposes of this subpart:

(i) Design evaluations are allowed for control devices that control emission points with total emissions less than 10 tons of organic HAP per year before control (i.e., small control devices).

(ii) When 40 CFR part 63, subpart SS refers to specific test methods for the measurement of organic HAP concentration, the test methods presented in § 63.1414(a) shall be used.

(iii) The option to measure TOC instead of organic HAP, as a basis for demonstrating compliance, is not allowed.

(iv) Excused excursions are not allowed.

(v) The provisions in § 63.1403(b), rather than the provisions in § 63.982(f), are to be followed for combined vent streams.

(vi) When a scrubber is used as a control device, the owner or operator shall follow the guidance provided in this subpart for design evaluations or performance tests, as appropriate, and for monitoring, recordkeeping, and reporting.

(vii) When there are conflicts between the due dates for reports presented in 40 CFR part 63, subpart SS and this subpart, reports shall be submitted according to the due dates presented in this subpart.

(viii) When there are conflicts between the recordkeeping and reporting requirements presented in 40 CFR part 63, subpart SS and this subpart, the owner or operator shall either follow both sets of requirements (i.e., follow the requirements in 40 CFR part 63, subpart SS for emission points covered by 40 CFR part 63, subpart SS and follow the requirements of this subpart for emission points covered by this subpart) or shall follow the set of requirements they prefer. If an owner or operator chooses to follow just one set of requirements, the owner or operator shall identify which set of requirements are being followed and which set of requirements are being disregarded in the appropriate report.

(b) *Emission standards for existing affected sources.* For each continuous process vent located at an existing affected source, the owner or operator shall comply with either paragraph (b)(1) or (2) of this section. As an alternative to complying with paragraph (b) of this section, an owner or operator may comply with paragraph (c)(2) of this section.

(1) Vent all emissions of organic HAP to a flare.

(2) Reduce emissions as specified in paragraphs (b)(2)(i) through (iii) of this section, as applicable.

(i) The owner or operator of a back-end continuous process vent shall reduce total organic HAP emissions to less than or equal to 4.3 kilograms of total organic HAP per megagram of resin produced (8.6 pounds of total organic HAP per ton of resin produced).

(ii) The owner or operator of a front-end reactor continuous process vent shall reduce total organic HAP emissions to less than or equal to 0.28 kilograms of total organic HAP per hour (0.61 pounds of total organic HAP per hour).

(iii) The owner or operator of a front-end non-reactor continuous process vent shall reduce total organic HAP emissions to less than or equal to 0.010 kilograms of total organic HAP per hour (0.022 pounds of total organic HAP per hour).

(c) *Alternative emission standards.* As an alternative to complying with paragraphs (a) or (b) of this section, an owner or operator may comply with



paragraph (c)(1) or (2) of this section, as appropriate.

(1) For each continuous process vent located at a new affected source, the owner or operator shall vent all organic HAP emissions from a continuous process vent meeting the TRE value specified in paragraph (a) of this section to a non-flare combustion control device achieving an outlet organic HAP concentration of 20 ppmv or less or to a non-combustion control device achieving an outlet organic HAP concentration of 50 ppmv or less. Any continuous process vents that are not vented to a control device meeting these conditions shall be controlled in accordance with the provisions of paragraph (a)(1) or (2) of this section.

(2) For each continuous process vent located at an existing affected source, the owner or operator shall vent all organic HAP emissions from a continuous process vent to a non-flare combustion control device achieving an outlet organic HAP concentration of 20 ppmv or less or to a non-combustion control device achieving an outlet organic HAP concentration of 50 ppmv or less. Any continuous process vents that are not vented to a control device meeting these conditions shall be controlled in accordance with the provisions of paragraph (b)(1) or (2) of this section.

[65 FR 3290, Jan. 20, 2000, as amended at 79 FR 60930, Oct. 8, 2014; 83 FR 51853, Oct. 15, 2018]

**§ 63.1406 Reactor batch process vent provisions.**

(a) *Emission standards.* Owners or operators of reactor batch process vents located at new or existing affected sources shall comply with paragraph (a)(1) or (2) of this section, as appropriate. As an alternative to complying with paragraph (a) of this section, an owner or operator may comply with paragraph (b) of this section.

(1) The owner or operator of a reactor batch process vent located at a new affected source shall control organic HAP emissions by complying with either paragraph (a)(1)(i), (ii), or (iii) of this section.

(i) Vent all emissions of organic HAP to a flare.

(ii) Reduce organic HAP emissions for the batch cycle by 95 weight percent using a control device or control technology.

(iii) Reduce organic HAP emissions from the collection of all reactor batch process vents within the affected source, as a whole, to 0.0045 kilogram of organic HAP per megagram of product or less for solvent-based resin production, or to 0.0004 kilogram of organic HAP per megagram of product or less for non-solvent-based resin production.

(2) The owner or operator of a reactor batch process vent located at an existing affected source shall control organic HAP emissions by complying with either paragraph (a)(2)(i), (ii), or (iii) of this section.

(i) Vent all emissions of organic HAP to a flare.

(ii) Reduce organic HAP emissions for the batch cycle by 83 weight percent using a control device or control technology.

(iii) Reduce organic HAP emissions from the collection of all reactor batch process vents within the affected source, as a whole, to 0.0567 kilogram of organic HAP per megagram of product or less for solvent-based resin production, or to 0.0057 kilogram of organic HAP per megagram of product or less for non-solvent-based resin production.

(b) *Alternative standard.* Vent all organic HAP emissions from a reactor batch process vent to a combustion control device achieving an outlet organic HAP concentration of 20 ppmv or less or to a non-combustion control device achieving an outlet organic HAP concentration of 50 ppmv or less. Any reactor batch process vents that are not vented to a control device meeting these conditions shall be controlled in accordance with the provisions of paragraph (a)(1)(ii), or paragraph (a)(2)(ii) of this section.

(c) *Use of boiler or process heater.* If a boiler or process heater is used to comply with the requirements of paragraph (a)(1)(i) or (ii), or paragraph (a)(2)(i) or (ii) of this section, the reactor batch process vent shall be introduced into the flame zone of such a device.

**§ 63.1407 Non-reactor batch process vent provisions.**

(a) *Emission standards.* (1) Owners or operators of non-reactor batch process vents located at new or existing affected sources with 0.25 tons per year (0.23 megagrams per year) of uncontrolled organic HAP emissions or greater from the collection of non-reactor batch process vents within the affected source shall comply with the requirements in paragraph (a)(2) or (3) of this section, as appropriate. As an alternative to complying with paragraph (a)(2) or (3) of this section, an owner or operator may comply with paragraph (b) of this section. Owners or operators shall determine uncontrolled organic HAP emissions from the collection of non-reactor batch process vents within the affected source as specified in paragraph (d) of this section. If the owner or operator finds that uncontrolled organic HAP emissions from the collection of non-reactor batch process vents within the affected source are less than 0.25 tons per year (0.23 megagrams per year), non-reactor batch process vents are not subject to the control requirements of this section. Further, the owner or operator shall, when requested by the Administrator, demonstrate that organic HAP emissions from the collection of non-reactor batch process vents within the affected source are less than 0.25 tons per year (0.23 megagrams per year).

(2) The owner or operator of a non-reactor batch process vent located at a new affected source shall:

(i) Vent all emissions of organic HAP to a flare; or

(ii) For the collection of non-reactor batch process vents within the affected source, reduce organic HAP emissions for the batch cycle by 76 weight percent using a control device or control technology.

(3) The owner or operator of a non-reactor batch process vent located at an existing affected source shall:

(i) Vent all emissions of organic HAP to a flare; or

(ii) For the collection of non-reactor batch process vents within the affected source, reduce organic HAP emissions for the batch cycle by 62 weight percent using a control device or control technology.

(b) *Alternative standard.* Comply with either paragraph (b)(1) or (2) of this section.

(1) *Control device outlet concentration.* Vent all organic HAP emissions from a non-reactor batch process vent to a combustion control device achieving an outlet organic HAP concentration of 20 ppmv or less or to a non-combustion control device achieving an outlet organic HAP concentration of 50 ppmv or less. Any reactor batch process vents that are not vented to a control device meeting these conditions shall be controlled in accordance with the provisions of paragraph (a)(2) or (3) of this section.

(2) *Mass emission limit.* Include the emissions from all non-reactor batch process vents in the compliance demonstration required for reactor batch process vents complying with the mass emission limits specified in § 63.1406(a)(1)(iii) and (a)(2)(iii), as appropriate. This compliance option may only be used when the owner or operator has elected to comply with the mass emission limit for reactor batch process vents.

(c) *Use of boiler or process heater.* If a boiler or process heater is used to comply with paragraph (a)(2)(ii) or (a)(3)(ii) of this section, the reactor batch process vent shall be introduced into the flame zone of such a device.

(d) *Determining uncontrolled organic HAP emissions.* Owners or operators shall determine uncontrolled organic HAP emissions from the collection of non-reactor batch process vents within the affected source based on engineering assessment as described in § 63.1414(d)(6).

**§ 63.1408 Aggregate batch vent stream provisions.**

(a) *Emission standards.* Owners or operators of aggregate batch vent streams at a new or existing affected source shall comply with either paragraph (a)(1) or (2) of this section, as appropriate. As an alternative to complying with paragraph (a)(1) or (2) of this section, an owner or operator may comply with paragraph (b) of this section.

(1) The owner or operator of an aggregate batch vent stream located at a new affected source shall:

(i) Vent all emissions of organic HAP to a flare; or

(ii) Reduce organic HAP emissions by 95 weight percent or to a concentration of 20 ppmv when using a combustion control device or to a concentration of 50 ppmv when using a non-combustion control device, whichever is less stringent, on a continuous basis.

(2) The owner or operator of an aggregate batch vent stream located at an existing affected source shall:

(i) Vent all emissions of organic HAP to a flare; or

(ii) Reduce organic HAP emissions by 83 weight percent or to a concentration of 20 ppmv when using a combustion control device or to a concentration of 50 ppmv when using a non-combustion control device, whichever is less stringent, on a continuous basis.

(b) *Alternative standard.* Comply with either paragraph (b)(1) or (2) of this section.

(1) *Control device outlet concentration.* Vent all organic HAP emissions from an aggregate batch vent stream to a combustion control device achieving an outlet organic HAP concentration of 20 ppmv or less or to a non-combustion control device achieving an outlet organic HAP concentration of 50 ppmv or less. Any aggregate batch vent streams that are not vented to a control device meeting these conditions shall be controlled in accordance with the provisions of paragraphs (a)(1) or (a)(2) of this section.

(2) *Mass emission limit.* Include the emissions from all aggregate batch vent streams in the compliance demonstration required for reactor batch process vents complying with the mass emission limits specified in § 63.1406(a)(1)(iii) and (a)(2)(iii), as appropriate. This compliance option may only be used when the owner or operator has elected to comply with the mass emission limit for reactor batch process vents.

**§ 63.1409 Heat exchange system provisions.**

(a) Unless one or more of the conditions specified in paragraphs (a)(1) through (6) of this section are met, owners and operators of sources subject to this subpart shall monitor each heat exchange system used to cool process

equipment in an affected source, according to the provisions in either paragraph (b) or (c) of this section. Whenever a leak is detected, the owner or operator shall comply with the requirements in paragraph (d) of this section.

(1) The heat exchange system is operated with the minimum pressure on the cooling water side at least 35 kilopascals greater than the maximum pressure on the process side.

(2) There is an intervening cooling fluid, containing less than 5 percent by weight of total HAP listed in column A of Table 2 of this subpart, between the process and the cooling water. This intervening fluid serves to isolate the cooling water from the process fluid, and the intervening fluid is not sent through a cooling tower or discharged. For purposes of this section, discharge does not include emptying for maintenance purposes.

(3) The once-through heat exchange system is subject to a National Pollution Discharge Elimination System (NPDES) permit with an allowable discharge limit of 1 part per million or less above influent concentration or 10 percent or less above influent concentration, whichever is greater.

(4) The once-through heat exchange system is subject to an NPDES permit that:

(i) Requires monitoring of a parameter(s) or condition(s) to detect a leak of process fluids into cooling water;

(ii) Specifies or includes the normal range of the parameter or condition;

(iii) Requires monitoring for the parameters selected as leak indicators no less frequently than monthly for the first 6 months and quarterly thereafter; and

(iv) Requires the owner or operator to report and correct leaks to the cooling water when the parameter or condition exceeds the normal range.

(5) The recirculating heat exchange system is used to cool process fluids that contain less than 5 percent by weight of total HAP listed in column A of Table 2 of this subpart.

(6) The once-through heat exchange system is used to cool process fluids that contain less than 5 percent by weight of total HAP listed in column B of Table 2 of this subpart.

(b) The owner or operator who elects to comply with the requirements of paragraph (a) of this section by monitoring the cooling water for the presence of one or more organic HAP or other representative substances whose presence in cooling water indicate a leak shall comply with the requirements specified in paragraphs (b)(1) through (6) of this section. The cooling water shall be monitored for total HAP, total volatile organic compounds, total organic carbon, one or more speciated HAP compounds, or other representative substances that would indicate the presence of a leak in the heat exchange system.

(1) The cooling water shall be monitored monthly for the first 6 months and quarterly thereafter to detect leaks.

(2)(i) For recirculating heat exchange systems (cooling tower systems), the monitoring of speciated HAP or total HAP refers to the HAP listed in column A of Table 2 of this subpart.

(ii) For once-through heat exchange systems, the monitoring of speciated HAP or total HAP refers to the HAP listed in column B of Table 2 of this subpart.

(3) The concentration of the monitored substance(s) in the cooling water shall be determined using any EPA-approved method listed in part 136 of this chapter, as long as the method is sensitive to concentrations as low as 10 parts per million and the same method is used for both entrance and exit samples. Alternative methods may be used upon approval by the Administrator.

(4) The samples shall be collected either at the entrance and exit of each heat exchange system or at locations where the cooling water enters and exits each heat exchanger or any combination of heat exchangers.

(i) For samples taken at the entrance and exit of recirculating heat exchange systems, the entrance is the point at which the cooling water leaves the cooling tower prior to being returned to the process equipment, and the exit is the point at which the cooling water is introduced to the cooling tower after being used to cool the process fluid.

(ii) For samples taken at the entrance and exit of once-through heat exchange systems, the entrance is the

point at which the cooling water enters, and the exit is the point at which the cooling water exits the plant site or chemical manufacturing process units.

(iii) For samples taken at the entrance and exit of each heat exchanger or any combination of heat exchangers, the entrance is the point at which the cooling water enters the individual heat exchanger or group of heat exchangers, and the exit is the point at which the cooling water exits the heat exchanger or group of heat exchangers.

(5) A minimum of three sets of samples shall be taken at each entrance and exit as defined in paragraph (b)(4) of this section. The average entrance and exit concentrations shall then be calculated. The concentration shall be corrected for the addition of any make-up water or for any evaporative losses, as applicable.

(6) A leak is detected if the exit mean concentration is found to be greater than the entrance mean concentration using a one-sided statistical procedure at the 0.05 level of significance, and the amount by which it is greater is at least 1 part per million or 10 percent of the entrance mean, whichever is greater.

(c) The owner or operator who elects to comply with the requirement of paragraph (a) of this section by monitoring using a surrogate indicator of heat exchange system leaks shall comply with the requirements specified in paragraphs (c)(1) through (3) of this section. Surrogate indicators that could be used to develop an acceptable monitoring program are ion specific electrode monitoring, pH, conductivity or other representative indicators.

(1) The owner or operator shall prepare and implement a monitoring plan that documents the procedures that will be used to detect leaks of process fluids into cooling water. The plan shall require monitoring of one or more surrogate indicators or monitoring of one or more process parameters or other conditions that indicate a leak. Monitoring that is already being conducted for other purposes may be used to satisfy the requirements of this section. The plan shall include the information specified in paragraphs (c)(1)(i) and (ii) of this section.

(i) A description of the parameter or condition to be monitored and an explanation of how the selected parameter or condition will reliably indicate the presence of a leak.

(ii) The parameter level(s) or conditions(s) that constitute a leak. This shall be documented by data or calculations showing that the selected levels or conditions will reliably identify leaks. The monitoring must be sufficiently sensitive to determine the range of parameter levels or conditions when the system is not leaking. When the selected parameter level or condition is outside that range, a leak is indicated.

(iii) The monitoring frequency which shall be no less frequent than monthly for the first 6 months and quarterly thereafter to detect leaks.

(iv) The records that will be maintained to document compliance with the requirements of this section.

(2) If a substantial leak is identified by methods other than those described in the monitoring plan and the method(s) specified in the plan could not detect the leak, the owner or operator shall revise the plan and document the basis for the changes. The owner or operator shall complete the revisions to the plan no later than 180 days after discovery of the leak.

(3) The owner or operator shall maintain, at all times, the monitoring plan that is currently in use. The current plan shall be maintained on-site, or shall be accessible from a central location by computer or other means that provides access within 2 hours after a request. If the monitoring plan is superseded, the owner or operator shall retain the most recent superseded plan at least until 5 years from the date of its creation. The superseded plan shall be retained on-site (or accessible from a central location by computer or other means that provides access within 2 hours after a request) for at least 6 months after its creation.

(d) If a leak is detected according to the criteria of paragraph (b) or (c) of this section, the owner or operator shall comply with the requirements in paragraphs (d)(1) and (2) of this section, except as provided in paragraph (e) of this section.

(1) The leak shall be repaired as soon as practical but not later than 45 calendar days after the owner or operator receives results of monitoring tests indicating a leak. The leak shall be repaired unless the owner or operator demonstrates that the results are due to a condition other than a leak.

(2) Once the leak has been repaired, the owner or operator shall confirm that the heat exchange system has been repaired within 7 calendar days of the repair or startup, whichever is later.

(e) Delay of repair of heat exchange systems for which leaks have been detected is allowed if the equipment is isolated from the process. Delay of repair is also allowed if repair is technically infeasible without a shutdown and any one of the conditions in paragraph (e)(1) or (2) of this section are met. All time periods in paragraphs (e)(1) and (2) of this section shall be determined from the date when the owner or operator determines that delay of repair is necessary.

(1) If a shutdown is expected within the next 2 months, a special shutdown before that planned shutdown is not required.

(2) If a shutdown is not expected within the next 2 months, the owner or operator may delay repair as provided in paragraph (e)(2)(i) or (ii) of this section. Documentation of a decision to delay repair shall state the reasons repair was delayed and shall specify a schedule for completing the repair as soon as practical.

(i) If a shutdown for repair would cause greater emissions than the potential emissions from delaying repair, the owner or operator may delay repair until the next shutdown of the process equipment associated with the leaking heat exchanger. The owner or operator shall document the basis for the determination that a shutdown for repair would cause greater emissions than the emissions likely to result from delaying repair as specified in paragraphs (e)(2)(i)(A) and (B) of this section.

(A) The owner or operator shall calculate the potential emissions from the leaking heat exchanger by multiplying the concentration of total HAP listed in column A of Table 2 of this subpart in the cooling water from the leaking

heat exchanger by the flowrate of the cooling water from the leaking heat exchanger by the expected duration of the delay. The owner or operator may calculate potential emissions using total organic carbon concentration instead of total HAP listed in column A of Table 2 of this subpart.

(B) The owner or operator shall determine emissions from purging and depressurizing the equipment that will result from the unscheduled shutdown for the repair.

(ii) If repair is delayed for reasons other than those specified in paragraph (e)(2)(i) of this section, the owner or operator may delay repair up to a maximum of 120 calendar days. The owner shall demonstrate that the necessary parts or personnel were not available.

#### § 63.1410 Equipment leak provisions.

The owner or operator of each affected source shall comply with the requirements of 40 CFR part 63, subpart UU for all equipment, as defined under § 63.1402, that contains or contacts 5 weight-percent HAP or greater and operates 300 hours per year or more, except § 63.1030. The weight-percent HAP is determined for equipment using the organic HAP concentration measurement methods specified in § 63.1414(a). When complying with the requirements of 40 CFR part 63, subpart SS, as referred to by 40 CFR part 63, subpart UU, the following apply for purposes of this subpart:

(a) Design evaluations are allowed for control devices that control emission points with total emissions less than 10 tons of organic HAP per year before control (i.e., small control devices).

(b) When 40 CFR part 63, subpart SS refers to specific test methods for the measurement of organic HAP concentration, the test methods presented in § 63.1414(a) shall be used.

(c) The option to measure TOC instead of organic HAP, as a basis for demonstrating compliance, is not allowed.

(d) Excused excursions are not allowed.

(e) The provisions in § 63.1403(b), rather than the provisions in § 63.982(f), are to be followed for combined vent streams.

(f) When a scrubber is used as a control device, the owner or operator shall follow the guidance provided in this subpart for design evaluations or performance tests, as appropriate, and for monitoring, recordkeeping, and reporting.

(g) When there are conflicts between the due dates for reports presented in 40 CFR part 63, subpart SS and this subpart, reports shall be submitted according to the due dates presented in this subpart.

(h) When there are conflicts between the recordkeeping and reporting requirements presented in 40 CFR part 63, subpart SS and this subpart, the owner or operator shall either follow both sets of requirements (i.e., follow the requirements in 40 CFR part 63, subpart SS for emission points covered by 40 CFR part 63, subpart SS and follow the requirements of this subpart for emission points covered by this subpart) or shall follow the set of requirements they prefer. If an owner or operator chooses to follow just one set of requirements, the owner or operator shall identify which set of requirements are being followed and which set of requirements are being disregarded in the appropriate report.

[65 FR 3290, Jan. 20, 2000, as amended at 79 FR 60930, Oct. 8, 2014]

#### § 63.1411 Requirements for pressure relief devices.

Except as specified in paragraph (d) of this section, the owner or operator must comply with the requirements specified in paragraphs (a) and (b) of this section for pressure relief devices in organic HAP gas or vapor service. Except as specified in paragraph (d) of this section, the owner or operator must also comply with the requirements specified in paragraph (c) of this section for all pressure relief devices in organic HAP service.

(a) *Operating requirements.* Except during a pressure release event, operate each pressure relief device in organic HAP gas or vapor service with an instrument reading of less than 500 ppm above background as described in Method 21 of 40 CFR part 60, Appendix A.

(b) *Pressure release requirements.* For pressure relief devices in organic HAP

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gas or vapor service, the owner or operator must comply with either paragraph (b)(1) or (2) of this section following a pressure release, as applicable.

(1) If the pressure relief device does not consist of or include a rupture disk, conduct instrument monitoring, as described in Method 21 of 40 CFR part 60, appendix A, no later than 5 calendar days after the pressure relief device returns to organic HAP service following a pressure release to verify that the pressure relief device is operating with an instrument reading of less than 500 ppm above background, except as provided in § 63.1024(d).

(2) If the pressure relief device consists of or includes a rupture disk, install a replacement disk as soon as practicable after a pressure release, but no later than 5 calendar days after the pressure release, except as provided in § 63.1024(d).

(c) *Pressure release management.* Except as specified in paragraph (d) of this section, emissions of organic HAP to the atmosphere from pressure relief devices in organic HAP service are prohibited, and the owner or operator must comply with the requirements specified in paragraphs (c)(1) and (2) of this section for all pressure relief devices in organic HAP service.

(1) The owner or operator must equip each pressure relief device in organic HAP service with a device(s) or parameter monitoring system that is capable of:

- (i) Identifying the pressure release;
- (ii) Recording the time and duration of each pressure release; and
- (iii) Notifying operators immediately that a pressure release is occurring. The device or monitoring system may be either specific to the pressure relief device itself or may be associated with the process system or piping sufficient to indicate a pressure release to the atmosphere. Examples of these types of devices and systems include, but are not limited to, a rupture disk indicator, magnetic sensor, motion detector on the pressure relief valve stem, flow monitor, or pressure monitor.

(2) If any pressure relief device in organic HAP service releases to atmosphere as a result of a pressure release event, the owner or operator must cal-

culate the quantity of organic HAP released during each pressure release event and report this quantity as required in § 63.1417(f)(13)(iii). Calculations may be based on data from the pressure relief device monitoring alone or in combination with process parameter monitoring data and process knowledge.

(d) *Pressure relief devices routed to a control device, process, fuel gas system, or drain system.* If a pressure relief device in organic HAP service is designed and operated to route all HAP emissions from pressure releases through a closed vent system to a control device or to a process, fuel gas system, or drain system, the owner or operator is not required to comply with paragraphs (a), (b), or (c) (if applicable) of this section for that pressure relief device. The fuel gas system or closed vent system and control device (if applicable) must meet the requirements of § 63.1034, as applicable (except that the term “pressure relief devices” shall apply instead of the term “equipment leaks” in § 63.1034). The drain system (if applicable) must meet the requirements of § 63.136.

[79 FR 60930, Oct. 8, 2014]

**§ 63.1412 Continuous process vent applicability assessment procedures and methods.**

(a) *General.* The provisions of this section provide procedures and methods for determining the applicability of the control requirements specified in § 63.1405(a) to continuous process vents.

(b) *Sampling sites.* Sampling sites shall be located as follows:

(1) *Sampling site location.* The sampling site for determining volumetric flow rate, regulated organic HAP concentration, total organic HAP, net heating value, and TRE index value, shall be after the final recovery device (if any recovery devices are present) but prior to the inlet of any control device that is present and prior to release to the atmosphere.

(2) *Sampling site selection method.* Method 1 or 1A of 40 CFR part 60, appendix A, as appropriate, shall be used for selection of the sampling site. No traverse site selection method is needed for process vents smaller than 0.33

foot (0.10 meter) in nominal inside diameter.

(c) *Applicability assessment requirement.* The organic HAP concentrations, volumetric flow rates, heating values, organic HAP emission rates, TRE index values, and engineering assessment control applicability assessment requirements are to be determined during maximum representative operating conditions for the process, except as provided in paragraph (d) of this section, or unless the Administrator specifies or approves alternate operating conditions. Operations during periods of malfunction shall not constitute representative conditions for the purpose of an applicability test.

(d) *Exceptions.* The owner or operator is not required to conduct a test that will cause any of the following situations:

- (1) Causing damage to equipment;
- (2) Necessitating that the owner or operator make a product that does not meet an existing specification for sale to a customer; or
- (3) Necessitating that the owner or operator make a product in excess of demand.

(e) *Organic HAP concentration.* The organic HAP concentrations, used for TRE index value calculations in paragraph (j) of this section, shall be determined using the procedures specified in either § 63.1414(a) or by using the engineering assessment procedures in paragraph (k) of this section.

(f) *Volumetric flow rate.* The volumetric flow rate shall be determined using the procedures specified in § 63.1414(a), or by using the engineering assessment procedures in paragraph (k) of this section.

(g) *Heating value.* The net heating value shall be determined as specified in paragraphs (g)(1) and (2) of this section, or by using the engineering assessment procedures in paragraph (k) of this section.

(1) The net heating value of the continuous process vent shall be calculated using Equation 1:

$$H_T = K_1 \left( \sum_{j=1}^n D_j H_j \right) \quad [\text{Eq. 1}]$$

Where:

$H_T$  = Net heating value of the sample, megaJoules per standard cubic meter, where the net enthalpy per mole of process vent is based on combustion at 25 °C and 760 millimeters of mercury, but the standard temperature for determining the volume corresponding to 1 mole is 20 °C, as in the definition of  $Q_s$  (process vent volumetric flow rate).

$K_1$  = Constant,  $1.740 \times 10^{-7}$  (parts per million)<sup>-1</sup> (gram-mole per standard cubic meter) (megaJoules per kilocalorie), where standard temperature for (gram-mole per standard cubic meter) is 20 °C.

$D_j$  = Organic HAP concentration on a wet basis of compound  $j$  in parts per million, as measured by procedures indicated in paragraph (e) of this section. For process vents that pass through a final stream jet and are not condensed, the moisture is assumed to be 2.3 percent by volume.

$H_j$  = Net heat of combustion of compound  $j$ , kilocalorie per gram-mole, based on combustion at 25 °C and 760 millimeters of mercury.

(2) The molar composition of the process vent ( $D_j$ ) shall be determined using the methods specified in paragraphs (g)(2)(i) through (iii) of this section:

(i) The methods specified in § 63.1414(a) to measure the concentration of each organic compound.

(ii) American Society for Testing and Materials D1946-90 (Reapproved 1994) (incorporated by reference, see § 63.14) to measure the concentration of carbon monoxide and hydrogen.

(iii) Method 4 of 40 CFR part 60, appendix A to measure the moisture content of the stack gas.

(h) *Organic HAP emission rate.* The emission rate of organic HAP in the continuous process vent, as required by the TRE index value equation specified in paragraph (j) of this section, shall be calculated using Equation 2:

$$E = K_2 \left( \sum_{j=1}^n C_j M_j \right) Q_s \quad [\text{Eq. 2}]$$

Where:

$E$  = Emission rate of organic HAP in the sample, kilograms per hour.

$K_2$  = Constant,  $2.494 \times 10^{-6}$  (parts per million)<sup>-1</sup> (gram-mole per standard cubic meter) (kilogram/gram) (minutes/hour), where standard temperature for (gram-mole per standard cubic meter) is 20 °C.

$n$  = Number of components in the sample.

$C_j$  = Organic HAP concentration on a dry basis of organic compound  $j$  in parts per



million as determined by the methods specified in paragraph (e) of this section.  
 $M_j$  = Molecular weight of organic compound  $j$ , gram/gram-mole.

$Q_S$  = Continuous process vent flow rate, dry standard cubic meter per minute, at a temperature of 20 °C.

(i) [Reserved]

(j) *TRE index value.* The owner or operator shall calculate the TRE index value of the continuous process vent using the equations and procedures in this paragraph, as applicable, and shall maintain records specified in § 63.1416(f).

(1) *TRE index value equation.* The equation for calculating the TRE index value is Equation 3:

$$TRE = 1/E_{HAP} [A + B(Q_S) + C(H_T)] \quad [\text{Eq. 3}]$$

Where:

TRE = TRE index value.

A, B, C = Coefficients presented in table 7 of this subpart.

$E_{HAP}$  = Emission rate of total organic HAP, kilograms per hour, as calculated according to paragraph (h) or (k) of this section.

$Q_S$  = Continuous process vent volumetric flow rate, standard cubic meters per minute, at a standard temperature of 20 °C, as calculated according to paragraph (f) or (k) of this section.

$H_T$  = Continuous process vent net heating value, megaJoules per standard cubic meter, as calculated according to paragraph (g) or (k) of this section.

(2) *TRE index calculation.* The owner or operator of a continuous process vent shall calculate the TRE index value by using the equation and appropriate coefficients in Table 6 of this subpart. The owner or operator shall calculate the TRE index value for each control device scenario (i.e., flare, thermal incinerator with 0 percent recovery, thermal incinerator with 70 percent recovery). The lowest TRE index value is to be compared to the applicability criteria specified in § 63.1405(a).

(k) *Engineering assessment.* For purposes of TRE index value determinations, engineering assessments may be used to determine continuous process vent flow rate, net heating value, and total organic HAP emission rate for the representative operating condition expected to yield the lowest TRE index value. Engineering assessments shall

meet the requirements of paragraphs (k)(1) through (4) of this section.

(1) If the TRE index value calculated using engineering assessment is greater than 4.0, the owner or operator is not required to perform the measurements specified in paragraphs (e) through (h) of this section.

(2) If the TRE index value calculated using engineering assessment is less than or equal to 4.0, the owner or operator is required either to perform the measurements specified in paragraphs (e) through (h) of this section for control applicability assessment or comply with the control requirements specified in § 63.1405(a).

(3) Engineering assessment includes, but is not limited to, the following examples:

(i) Previous test results, provided the tests are representative of current operating practices.

(ii) Bench-scale or pilot-scale test data representative of the process under representative operating conditions.

(iii) Maximum volumetric flow rate, organic HAP emission rate, organic HAP concentration, or net heating value limit specified or implied within a permit limit applicable to the continuous process vent.

(iv) Design analysis based on accepted chemical engineering principles, measurable process parameters, or physical or chemical laws or properties. Examples of analytical methods include, but are not limited to, the following:

(A) Use of material balances based on process stoichiometry to estimate maximum organic HAP concentrations;

(B) Estimation of maximum volumetric flow rate based on physical equipment design such as pump or blower capacities;

(C) Estimation of organic HAP concentrations based on saturation conditions; and

(D) Estimation of maximum expected net heating value based on the stream concentration of each organic compound.

[65 FR 3290, Jan. 20, 2000, as amended at 79 FR 60931, Oct. 8, 2014; 83 FR 51853, Oct. 15, 2018]

**§ 63.1413 Compliance demonstration procedures.**

(a) *General.* For each emission point, the owner or operator shall meet three stages of compliance, with exceptions specified in this subpart. First, the owner or operator shall conduct a performance test or design evaluation to demonstrate either the performance of the control device or control technology being used or the uncontrolled total organic HAP emissions rate from a continuous process vent. Second, the owner or operator shall meet the requirements for demonstrating initial compliance (e.g., a demonstration that the required percent reduction or emissions limit is achieved). Third, the owner or operator shall meet the requirements for demonstrating continuous compliance through some form of monitoring (e.g., continuous monitoring of operating parameters).

(1) *Large control devices and small control devices.* A large control device is a control device that controls emission points with total emissions of 10 tons of organic HAP per year or more before control. A small control device is a control device that controls emission points with total emissions less than 10 tons of organic HAP per year before control.

(i) *Large control devices.* Owners or operators are required to conduct a performance test for a large control device. The establishment of parameter monitoring levels shall be based on data obtained during the required performance test.

(ii) *Small control devices.* Owners or operators are required to conduct a design evaluation for a small control device. An owner or operator may choose to conduct a performance test for a small control device and such a performance test shall follow the procedures specified in this section, as appropriate. Whenever a small control device becomes a large control device, the owner or operator shall conduct a performance test following the procedures specified in this section, as appropriate. Notification that such a performance test is required, the site-specific test plan, and the results of the performance test shall be provided to the Administrator as specified in § 63.1417. Except as provided in

§ 63.1415(a)(2), the parameter monitoring levels for small control devices shall be set based on the design evaluation required by paragraph (a)(3) of this section. Further, when setting the parameter monitoring level(s) based on the design evaluation, the owner or operator shall submit the information specified in § 63.1417(d)(7) for review and approval as part of the Precompliance Report.

(iii) *Uncontrolled continuous process vents.* Owners or operators are required to conduct either a performance test or a design evaluation for continuous process vents that are not controlled through either a large or small control device.

(2) *Performance tests.* Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance of the affected source for the period being tested and in accordance with the General Provisions at § 63.7(a)(1), (a)(3), (d), (e)(2), (e)(4), (g), and (h), with the exceptions specified in paragraph (a)(1) of this section. Representative conditions exclude periods of startup and shutdown unless specified by the Administrator or an applicable subpart. The owner or operator may not conduct performance tests during periods of malfunction. The owner or operator must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests. Data shall be reduced in accordance with the EPA approved methods specified in this subpart or, if other test methods are used, the data and methods shall be validated according to the protocol in Method 301 of Appendix A of this part.

(i) *Additional control devices not requiring performance tests.* An owner or operator is not required to conduct a performance test when using one of the following control devices:

(A) A boiler or process heater with a design heat input capacity of 44 megawatts or greater.

(B) A boiler or process heater into which the vent stream is introduced with the primary fuel or is used as the primary fuel.

(C) A boiler or process heater burning hazardous waste for which the owner or operator:

(1) Has been issued a final permit under 40 CFR part 270 and complies with the requirements of 40 CFR part 266, subpart H; or

(2) Has certified compliance with the interim status requirements of 40 CFR part 266, subpart H.

(D) A hazardous waste incinerator for which the owner or operator has been issued a final permit under 40 CFR part 270 and complies with the requirements of 40 CFR part 264, subpart O, or has certified compliance with the interim status requirements of 40 CFR part 265, subpart O.

(E) A control device for which a performance test was already conducted for determining compliance with another regulation promulgated by the EPA, provided the test was conducted using the same Methods specified in this section, and either no deliberate process changes have been made since the test, or the owner or operator can demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process changes. Parameter monitoring levels established based on such a performance test may be used for purposes of demonstrating continuous compliance with this subpart.

(ii) *Exceptions to performance test requirements in the General Provisions.* (A) Performance tests shall be conducted at maximum representative operating conditions achievable during either the 6-month period ending 2 months before the Notification of Compliance Status required by § 63.1417(e) is due, or during the 6-month period surrounding the date of the performance test (i.e., the period beginning 3 months prior to the performance test and ending 3 months after the performance test). In achieving maximum representative operating conditions, an owner or operator is not required to cause damage to equipment, make a product that does not meet an existing specification for sale

to a customer, or make a product in excess of demand.

(B) When § 63.7(g) references the Notification of Compliance Status requirements in § 63.9(h), the requirements in § 63.1417(e) shall apply for purposes of this subpart.

(C) Performance tests shall be performed no later than 150 days after the compliance dates specified in this subpart (i.e., in time for the results to be included in the Notification of Compliance Status), rather than according to the time periods in § 63.7(a)(2).

(3) *Design evaluations.* As provided in paragraph (a) of this section, a design evaluation may be conducted to demonstrate the organic HAP removal efficiency for a control device or control technology, or the uncontrolled total organic HAP emissions rate from a continuous process vent. As applicable, a design evaluation shall address the organic HAP emissions rate from uncontrolled continuous process vents, the composition and organic HAP concentration of the vent stream(s) entering a control device or control technology, the operating parameters of the emission point and any control device or control technology, and other conditions or parameters that reflect the performance of the control device or control technology or the organic HAP emission rate from a continuous process vent. A design evaluation also shall address other vent stream characteristics and control device operating parameters as specified in any one of paragraphs (a)(3)(i) through (vi) of this section, for controlled vent streams, depending on the type of control device that is used. If the vent stream(s) is not the only inlet to the control device, the efficiency demonstration also shall consider all other vapors, gases, and liquids, other than fuels, received by the control device.

(i) For a scrubber, the design evaluation shall consider the vent stream composition, constituent concentrations, liquid-to-vapor ratio, scrubbing liquid flow rate and concentration, temperature, and the reaction kinetics of the constituents with the scrubbing liquid. The design evaluation shall establish the design exhaust vent stream organic compound concentration level and include the additional information

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in paragraphs (a)(3)(i)(A) and (B) of this section for trays and a packed column scrubber:

(A) Type and total number of theoretical and actual trays; and

(B) Type and total surface area of packing for entire column, and for individual packed sections if column contains more than one packed section.

(ii) For a condenser, the design evaluation shall consider the vent stream flow rate, relative humidity, and temperature and shall establish the design outlet organic HAP compound concentration level, design average temperature of the condenser exhaust vent stream, and the design average temperatures of the coolant fluid at the condenser inlet and outlet. The temperature of the gas stream exiting the condenser shall be measured and used to establish the outlet organic HAP concentration.

(iii) For a carbon adsorption system that regenerates the carbon bed directly onsite in the control device, such as a fixed-bed adsorber, the design evaluation shall consider the vent stream flow rate, relative humidity, and temperature and shall establish the design exhaust vent stream organic compound concentration level, adsorption cycle time, number and capacity of carbon beds, type and working capacity of activated carbon used for carbon beds, design total regeneration stream mass or volumetric flow over the period of each complete carbon bed regeneration cycle, design carbon bed temperature after regeneration, design carbon bed regeneration time, and design service life of carbon. For vacuum desorption, the pressure drop shall be included.

(iv) For a carbon adsorption system that does not regenerate the carbon bed directly onsite in the control device, such as a carbon canister, the design evaluation shall consider the vent stream mass or volumetric flow rate, relative humidity, and temperature and shall establish the design exhaust vent stream organic compound concentration level, capacity of carbon bed, type and working capacity of activated carbon used for carbon bed, and design carbon replacement interval based on the total carbon working ca-

capacity of the control device and source operating schedule.

(v) For an enclosed combustion device with a minimum residence time of 0.5 seconds and a minimum temperature of 760 C, the design evaluation shall document that these conditions exist.

(vi) For a combustion control device that does not satisfy the criteria in paragraph (a)(3)(v) of this section, the design evaluation shall address the following characteristics, depending on the type of control device:

(A) For a thermal vapor incinerator, the design evaluation shall consider the autoignition temperature of the organic HAP, shall consider the vent stream flow rate, and shall establish the design minimum and average temperature in the combustion zone and the combustion zone residence time.

(B) For a catalytic vapor incinerator, the design evaluation shall consider the vent stream flow rate and shall establish the design minimum and average temperatures across the catalyst bed inlet and outlet.

(C) For a boiler or process heater, the design evaluation shall consider the vent stream flow rate, shall establish the design minimum and average flame zone temperatures and combustion zone residence time, and shall describe the method and location where the vent stream is introduced into the flame zone.

(4) *Establishment of parameter monitoring levels.* The owner or operator of a control device that has one or more parameter monitoring level requirements specified under this subpart, or specified under subparts referenced by this subpart, shall establish a maximum or minimum level, as denoted on Table 4 of this subpart, for each measured parameter using the procedures specified in paragraph (a)(4)(i) or (ii) of this section. Except as otherwise provided in this subpart, the owner or operator shall operate control devices such that the hourly average, daily average, batch cycle daily average, or block average of monitored parameters, established as specified in this paragraph, remains above the minimum level or below the maximum level, as appropriate.

(i) *Establishment of parameter monitoring levels based on performance tests—*  
(A) *Emission points other than batch process vents.* During initial compliance testing, the appropriate parameter shall be continuously monitored during the required 1-hour test runs. The monitoring level(s) shall then be established as the average of the maximum (or minimum) point values from the three test runs. The average of the maximum values shall be used when establishing a maximum level, and the average of the minimum values shall be used when establishing a minimum level.

(B) *Aggregate batch vent streams.* For aggregate batch vent streams the monitoring level shall be established in accordance with paragraph (a)(4)(i)(A) of this section.

(C) *Batch process vents.* The monitoring level(s) shall be established using the procedures specified in paragraphs (a)(4)(i)(C)(1) or (2) of this section. For batch process vents complying with the percent reduction standards specified in §63.1406 or §63.1407, parameter monitoring levels shall be established by the design evaluation, or during the performance test so that the specified percent reduction from §63.1406 or §63.1407, as appropriate, is met.

(1) If more than one batch emission episode or more than one portion of a batch emission episode has been selected to be controlled, a single level for the batch cycle shall be calculated as follows:

(i) During initial compliance testing, the appropriate parameter shall be monitored continuously and recorded once every 15 minutes at all times when batch emission episodes, or portions thereof, selected to be controlled are vented to the control device. A minimum of three recorded values shall be obtained for each batch emission episode, or portion thereof, regardless of the length of time emissions are occurring.

(ii) The average monitored parameter value shall be calculated for each batch emission episode, or portion thereof, in the batch cycle selected to be controlled. The average shall be based on all values measured during the required performance test.

(iii) If the level to be established is a maximum operating parameter, the level shall be defined as the minimum of the average parameter values from each batch emission episode, or portion thereof, in the batch cycle selected to be controlled (i.e., identify the batch emission episode, or portion thereof, which requires the lowest parameter value in order to assure compliance; the average parameter value that is necessary to assure compliance for that batch emission episode, or portion thereof, shall be the level for all batch emission episodes, or portions thereof, in the batch cycle that are selected to be controlled).

(iv) If the level to be established is a minimum operating parameter, the level shall be defined as the maximum of the average parameter values from each batch emission episode, or portion thereof, in the batch cycle selected to be controlled (i.e., identify the batch emission episode, or portion thereof, which requires the highest parameter value in order to assure compliance; the average parameter value that is necessary to assure compliance for that batch emission episode, or portion thereof, shall be the level for all batch emission episodes, or portions thereof, in the batch cycle that are selected to be controlled).

(v) Alternatively, an average monitored parameter value shall be calculated for the entire batch cycle based on all values recorded during each batch emission episode, or portion thereof, selected to be controlled.

(2) Instead of establishing a single level for the batch cycle, as described in paragraph (a)(4)(i)(C)(1) of this section, an owner or operator may establish separate levels for each batch emission episode, or portion thereof, selected to be controlled. Each level shall be determined as specified in paragraphs (a)(4)(i)(C)(1)(i) through (v) of this section.

(3) The batch cycle shall be defined in the Notification of Compliance Status, as specified in §63.1417(e)(2). Said definition shall include an identification of each batch emission episode. The definition of batch cycle shall also include the information required to determine parameter monitoring compliance for partial batch cycles (i.e., when part of

a batch cycle is accomplished during 2 different operating days) for those parameters averaged on a batch cycle daily average basis.

(ii) *Establishment of parameter monitoring levels based on performance tests, engineering assessments, and/or manufacturer's recommendations.* Parameter monitoring levels may be established based on the parameter values measured during the performance test supplemented by engineering assessments and/or manufacturer's recommendations. Performance testing is not required to be conducted over the entire range of expected parameter values. When setting the parameter monitoring level(s) using the procedures specified in this paragraph, the owner or operator shall submit the information specified in § 63.1417(d)(7) for review and approval as part of the Precompliance Report.

(b) *Initial and continuous compliance for storage vessels.* (1) Initial compliance with the percent reduction standard specified in § 63.1404(a)(1) shall be demonstrated following the procedures in 40 CFR part 63, subpart SS.

(2) Initial compliance with the work practice standard specified in § 63.1404(a)(2) shall be demonstrated following the procedures in 40 CFR part 63, subpart WW.

(3) Continuous compliance with the percent reduction standard specified in § 63.1404(a)(1) shall be demonstrated following the procedures in 40 CFR part 63, subpart SS.

(4) Continuous compliance with the work practice standard specified in § 63.1404(a)(2) shall be demonstrated following the procedures in 40 CFR part 63, subpart WW.

(5) Initial and continuous compliance with the alternative standard specified in § 63.1404(b) shall be demonstrated following the procedures in paragraph (f) of this section.

(c) *Initial and continuous compliance for continuous process vents.* (1) Initial compliance with the percent reduction standard specified in § 63.1405(a)(2) shall be demonstrated following the procedures in 40 CFR part 63, subpart SS.

(2) Initial compliance with § 63.1405(a)(1) or (b)(1) (venting of emissions to a flare) shall be demonstrated

following the procedures specified in paragraph (g) of this section.

(3) Continuous compliance with the percent reduction standard specified in § 63.1405(a)(2) shall be demonstrated following the procedures in 40 CFR part 63, subpart SS.

(4) Continuous compliance with § 63.1405(a)(1) or (b)(1) (venting of emissions to a flare) shall be demonstrated following the continuous monitoring procedures specified in § 63.1415.

(5) Initial and continuous compliance with the production-based emission limit specified in § 63.1405(b)(2)(i) shall be demonstrated following the procedures in paragraph (h)(1) of this section.

(6) Initial and continuous compliance with the emission rate limits specified in § 63.1405(b)(2)(ii) and (iii) shall be demonstrated following the procedures of either paragraphs (c)(6)(i) or (ii) of this section.

(i) Continuous process vents meeting the emission rate limit using a closed vent system and a control device or recovery device or by routing emissions to a fuel gas system or process shall follow the procedures in 40 CFR part 63, subpart SS. When complying with the requirements of 40 CFR part 63, subpart SS, the following apply for purposes of this subpart:

(A) The requirements specified in of § 63.1405 (a)(2)(i) through (viii).

(B) When 40 CFR part 63, subpart SS refers to meeting a weight-percent emission reduction or ppmv outlet concentration requirement, meeting an emission rate limit in terms of kilograms of total organic HAP per hour shall also apply.

(ii) Continuous process vents meeting the emission rate limit by means other than those specified in paragraph (c)(6)(i) of this section shall follow the procedures specified in paragraph (h)(2) of this section.

(7) Initial and continuous compliance with the alternative standards specified in § 63.1405(c) shall be demonstrated following the procedures in paragraph (f) of this section.

(d) *Initial and continuous compliance for aggregate batch vent streams.* (1) Initial compliance with the percent reduction standard specified in

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§ 63.1408(a)(1)(ii) and (2)(ii) shall be demonstrated following the procedures for continuous process vents specified in paragraph (c)(1) of this section.

(2) Initial compliance with § 63.1408(a)(1)(i) and (2)(i) (venting of emissions to a flare) shall be demonstrated following the procedures specified in paragraph (g) of this section.

(3) Continuous compliance with the percent reduction standard specified in § 63.1408(a)(1)(ii) and (2)(ii) shall be demonstrated following the procedures for continuous process vents specified in paragraph (c)(3) of this section.

(4) Continuous compliance with § 63.1408(a)(1)(i) and (a)(2)(i) (venting of emissions to a flare) shall be demonstrated following the continuous monitoring procedures specified in § 63.1415.

(5) Initial and continuous compliance with the alternative standard specified in § 63.1408(b)(1) shall be demonstrated following the procedures in paragraph (f) of this section.

(6) Initial and continuous compliance with the mass emission limit specified in § 63.1408(b)(2) shall be demonstrated following the procedures in paragraph (e)(2) of this section.

(e) *Initial and continuous compliance for batch process vents*—(1) *Compliance with percent reduction standards.* Owners or operators opting to comply with the percent reduction standards specified in § 63.1406(a)(1)(ii) and (a)(2)(ii) or § 63.1407(a)(2)(ii) and (a)(3)(ii) shall select portions of the batch process vent emissions (i.e., select batch emission episodes or portions of batch emission episodes) to be controlled such that the specified percent reduction is achieved for the batch cycle. Paragraphs (e)(1)(i) and (ii) of this section specify how the performance of a control device or control technology is to be determined. Paragraph (e)(1)(iii) of this section specifies how to demonstrate that the required percent emission reduction is achieved for the batch cycle.

(i) *Design evaluation.* The design evaluation shall comply with the provisions in paragraph (a)(3) of this section. The design evaluation shall include the value(s) and basis for the parameter monitoring level(s) required by

§ 63.1415. The design evaluation shall determine either of the following:

(A) *Each batch emission episode.* The control device efficiency for each batch emission episode that the owner or operator selects to control.

(B) *One or more representative batch emission episodes.* The control device efficiency for one or more batch emission episodes provided that the owner or operator demonstrates that the control device achieves the same or higher efficiency for all other batch emission episodes that the owner or operator selects to control.

(ii) *Performance test.* An owner or operator shall conduct performance tests following the procedures in paragraph (e)(1)(ii)(A) of this section, the procedures in paragraph (e)(1)(ii)(B) of this section, or a combination of the two procedures. Under paragraph (e)(1)(ii)(A) of this section, a performance test is conducted for each batch emission episode selected for control. Under paragraph (e)(1)(ii)(B) of this section, an owner or operator groups together several batch emission episodes and conducts a single performance test for the batch emission episode that is the most challenging, in terms of achieving emission reductions, for the control device or control technology; thereby demonstrating that the achieved emission reduction for the tested batch emission episode is the minimum control device or control technology performance expected for each batch emission episode in the group. An owner or operator may use the concept provided by paragraph (e)(1)(ii)(B) of this section for several different groups of batch emission episodes.

(A) *Testing each batch emission episode.* A performance test shall be performed for each batch emission episode, or portion thereof, that the owner or operator selects to control. Performance tests shall be conducted using the testing procedures specified in § 63.1414(a) and (b) and the following procedures:

(1) Only one test (i.e., only one run) is required for each batch emission episode selected by the owner or operator for control.

(2) Except as specified in paragraph (e)(1)(ii)(A)(3) of this section, the performance test shall be conducted over

the entire period of emissions selected by the owner or operator for control.

(3) An owner or operator may choose to test only those periods of the batch emission episode during which the emission rate for the entire batch emission episode can be determined or during which the organic HAP emissions are greater than the average emission rate of the batch emission episode. The owner or operator choosing either of these options shall develop an emission profile illustrating the emission rate (kilogram per unit time) over the entire batch emission episode, based on either process knowledge or test data, to demonstrate that test periods are representative. Examples of information that could constitute process knowledge include calculations based on material balances and process stoichiometry. Previous test results may be used to develop the emission profile provided the results are still relevant to the current batch process vent conditions. The emission profile shall be included in the site-specific test plan required by § 63.1417(h)(2).

(4) When choosing sampling sites using the methods specified in § 63.1414(a)(1), inlet sampling sites shall be located as specified in paragraphs (e)(1)(ii)(A)(4)(i) and (ii) of this section. Outlet sampling sites shall be located at the outlet of the control device prior to release to the atmosphere.

(i) The control device inlet sampling site shall be located at the exit from the batch unit operation after any condensers operating as process condensers and before any control device.

(ii) If a batch process vent is introduced with the combustion air or as a secondary fuel into a boiler or process heater with a design capacity less than 44 megawatts, selection of the location of the inlet sampling sites shall ensure the measurement of total organic HAP concentrations in all batch process vents and primary and secondary fuels introduced into the boiler or process heater.

(B) *Testing only the most challenging batch emission episode.* Under this paragraph, an owner or operator groups together several batch emission episodes and conducts a single performance test for the batch emission episode that is

the most challenging, in terms of achieving emission reductions, for the control device or control technology; thereby demonstrating that the achieved emission reduction for the tested batch emission episode is the minimum control device or control technology performance expected for each batch emission episode in the group. The owner or operator shall use the control device efficiency determined from the performance test for all the other batch emission episodes in that group for purposes of paragraph (e)(2)(iii) of this section. Performance tests shall be conducted using the testing procedures specified in § 63.1414(a) and (b) and the following procedures:

(1) The procedures specified in paragraphs (e)(2)(ii)(A)(2) through (4) of this section.

(2) Develop an emission profile illustrating the emission rate (kilogram/unit time) for each period of emissions to be addressed by the performance test. The emission profile shall be based on either process knowledge or test data. Examples of information that could constitute process knowledge include calculations based on material balances and process stoichiometry. Previous test results may be used to develop the emission profile provided the results are still relevant to the current batch process vent conditions. The emission profile shall be included in the site-specific test plan required by § 63.1417(h)(2).

(3) Provide rationale for why the control device efficiency for all the other batch emission episodes in the group will be greater than or equal to the control device efficiency achieved during the tested period of the most challenging batch emission episode in the group, as specified in the Notification of Compliance Status Report required by § 63.1417(e).

(iii) *Batch cycle percent reduction.* The percent reduction for the batch cycle for an individual reactor batch process vent and the overall percent reduction for the collection of non-reactor batch process vents within the affected source shall be determined using Equation 1 of this section and the control device efficiencies specified in paragraphs (e)(1)(iii)(A) through (C) of this



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section. All information used to calculate the batch cycle percent reduction for an individual reactor batch process vent, including a definition of the batch cycle identifying all batch emission episodes, shall be recorded as specified in § 63.1416 (d)(1)(ii). All information used to calculate the overall percent reduction for the collection of non-reactor batch process vents within the affected source, including a list of all batch emission episodes from the collection of non-reactor batch process vents within the affected source, shall be recorded as specified in § 63.1416 (d)(1)(ii). This information shall include identification of those batch emission episodes, or portions thereof, selected for control. This information shall include estimates of uncontrolled organic HAP emissions for those batch emission episodes, or portions thereof, that are not selected for control, determined as specified in paragraph (e)(2)(iii)(D) or (E) of this section.

$$PR = \frac{\sum_{i=1}^n E_{unc} + \sum_{i=1}^n E_{inlet,con} - \sum_{i=1}^n (1-R)E_{inlet,con}}{\sum_{i=1}^n E_{unc} + \sum_{i=1}^n E_{inlet,con}} \quad (100) \quad [Eq. 1]$$

Where:

PR = Percent reduction.

$E_{unc}$  = Mass rate of total organic HAP for uncontrolled batch emission episode i, kg/hr.

$E_{inlet,con}$  = Mass rate of total organic HAP for controlled batch emission episode i at the inlet to the control device, kg/hr.

R = Control efficiency of control device as specified in paragraphs (e)(1)(iii)(A) through (e)(1)(iii)(C) of this section. The value of R may vary between batch emission episodes.

n = Number of uncontrolled batch emission episodes, controlled batch emission episodes, and control devices. The value of n is not necessarily the same for these three items.

(A) When conducting a performance test, the control efficiency of the control device shall be determined following the procedures in § 63.1414(b)(4).

(B) For combustion control devices listed in paragraphs (a)(2)(i)(A) and (B) of this section and for flares, the control efficiency in Equation 1 of this section shall be 98 percent.

(C) If a performance test is not required, the control efficiency shall be based on the design evaluation speci-

fied in paragraph (e)(1)(i) of this section.

(D) For batch process vents estimated through engineering assessment, as described in § 63.1414(f)(6), to emit less than 10 tons per year of uncontrolled organic HAP emissions, the owner or operator may use in Equation 1 of this section the emissions determined using engineering assessment or may determine organic HAP emissions using any of the procedures specified in § 63.1414(d).

(E) For batch process vents estimated through engineering assessment, as described in § 63.1414(d)(6), to emit 10 tons per year or greater of uncontrolled organic HAP emissions, organic HAP emissions shall be estimated following the procedures specified in § 63.1414(d).

(F) Owners or operators designating a condenser, sometimes operated as a process condenser, as a control device shall conduct inprocess recycling and follow the recordkeeping requirements specified in § 63.1416(d)(1)(vi).

(iv) *Initial compliance with percent reduction standards.* Initial compliance with the percent reduction standards specified in § 63.1406(a)(1)(ii) and (2)(ii) and § 63.1407(a)(2)(ii) and (3)(ii) is achieved when the owner or operator demonstrates, following the procedures in paragraphs (e)(1)(i) through (iii) of this section, that the required percent reduction is achieved.

(v) *Continuous compliance with percent reduction standards.* Continuous compliance with the percent reduction standards specified in § 63.1406(a)(1)(ii) and (2)(ii) and § 63.1407(a)(2)(ii) and (3)(ii) shall be demonstrated following the continuous monitoring procedures specified in § 63.1415.

(2) *Compliance with mass emission limit standards.* Each owner or operator shall determine initial and continuous compliance with the mass emission limits specified in § 63.1406 (a)(1)(iii) and (a)(2)(iii), according to the following procedures, as appropriate:

(i) If production at an affected source is exclusively non-solvent-based amino/phenolic resin or is exclusively solvent-based amino/phenolic resin, or an owner or operator chooses to meet the non-solvent-based emission limit, the owner or operator shall demonstrate

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initial and continuous compliance as follows:

(A) *Initial compliance.* Initial compliance shall be based on the average of the first 6 monthly average emission rate data points. The 6-month average shall be compared to the mass emission limit specified in §63.1406 (a)(1)(iii) and (a)(2)(iii), as appropriate.

(B) *Continuous compliance.* For the first year of compliance, continuous compliance shall be based on a cumulative average monthly emission rate calculated each month based on the available monthly emission rate data points (e.g., 7 data points after 7 months of operation, 8 data points after 8 months of operation) beginning the first month after initial compliance is demonstrated. The first continuous compliance cumulative average monthly emission rate shall be calculated using the first 7 monthly average emission rate data points. After the first year of compliance, a 12-month rolling average monthly emission rate shall be calculated each month based on the previous 12 monthly emission rate data points. Continuous compliance shall be determined by comparing the cumulative average monthly emission rate or the 12-month rolling average monthly emission rate to the mass emission limit specified in §63.1406 (a)(1)(iii) and (a)(2)(iii), as appropriate.

(C) *Procedures to determine the monthly emission rate.* The monthly emission rate, kilograms of organic HAP per megagram of product, shall be determined at the end of each month using Equation 2 of this section:

$$ER = \frac{\sum_{i=1}^n E_i}{RP_M} \quad [\text{Eq. 2}]$$

Where:

- ER = Emission rate of organic HAP from reactor batch process vents, kg of HAP/Mg product.
- E<sub>i</sub> = Emission rate of organic HAP from reactor batch process vent i as determined using the procedures specified in paragraph (e)(2)(i)(C)(1) of this section, kg/month.
- RP<sub>m</sub> = Amount of resin produced in one month as determined using the procedures specified in paragraph (e)(2)(i)(C)(4) of this section, Mg/month.

n = Number of batch process vents.

(1) The monthly emission rate of organic HAP, in kilograms per month, from an individual batch process vent (E<sub>i</sub>) shall be determined using Equation 3 of this section. Once organic HAP emissions for a batch cycle (E<sub>cyclei</sub>) have been estimated, as specified in either paragraph (e)(2)(i)(C)(2) or (3) of this section, the owner or operator may use the estimated organic HAP emissions (E<sub>cyclei</sub>) to determine E<sub>i</sub> using Equation 3 of this section until the estimated organic HAP emissions (E<sub>cyclei</sub>) are no longer representative due to a process change or other reasons known to the owner or operator. If organic HAP emissions for a batch cycle (E<sub>cyclei</sub>) are determined to no longer be representative, the owner or operator shall redetermine organic HAP emissions for the batch cycle (E<sub>cyclei</sub>) following the procedures in paragraph (e)(2)(i)(C)(2) or (3) of this section, as appropriate.

$$E_i = \sum_{i=1}^n (N_i)(E_{\text{cycle}_i}) \quad [\text{Eq. 3}]$$

Where:

- E<sub>i</sub> = Monthly emissions from a batch process vent, kg/month.
- N<sub>i</sub> = Number of type i batch cycles performed monthly, cycles/month.
- E<sub>cyclei</sub> = Emissions from the batch process vent associated with a single type i batch cycle, as determined using the procedures specified in either paragraph (e)(2)(i)(C)(2) or (3) of this section, kg/batch cycle.
- n = Number of different types of batch cycles that cause the emission of organic HAP from the batch process vent.

(2) For reactor batch process vents estimated through engineering assessment, as described in §63.1414(d)(6), to emit less than 10 tons per year of uncontrolled organic HAP emissions, the owner or operator may use the emissions determined using engineering assessment in Equation 3 of this section or may determine organic HAP emissions using any of the procedures specified in §63.1414(d). For reactor batch process vents estimated through engineering assessment, as described in §63.1414(d)(6), to emit 10 tons per year or greater of uncontrolled organic HAP emissions, uncontrolled organic HAP emissions from the batch emission episodes making up the batch cycle shall

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be estimated following the procedures specified in §63.1414(d).

(3) For reactor batch process vents vented to a control device or control technology, controlled organic HAP emissions shall be determined as follows:

(i) Uncontrolled organic HAP emissions shall be determined following the procedures in paragraph (e)(2)(i)(C)(2) of this section.

(ii) Control device or control technology efficiency shall be determined using the procedures in paragraph (e)(1)(i) of this section for small control devices or the procedures in paragraph (e)(1)(ii) of this section for large control devices.

(iii) Controlled organic HAP emissions shall be determined by applying the control device or control technology efficiency, determined in paragraph (e)(2)(i)(C)(3)(ii) of this section, to the uncontrolled organic HAP emis-

sions, determined in paragraph (e)(2)(i)(C)(3)(i) of this section.

(4) The rate of resin produced,  $RP_M$  (Mg/month), shall be determined based on production records certified by the owner or operator to represent actual production for the month. A sample of the records selected by the owner or operator for this purpose shall be provided to the Administrator in the Precompliance Report as required by §63.1417(d).

(ii) If production at an affected source reflects a mix of solvent-based and non-solvent-based resin and the owner or operator does not choose to meet the non-solvent-based emission limit specified in §63.1406 (a)(1)(iii) or (a)(2)(iii), as applicable, the owner or operator shall demonstrate initial and continuous compliance as follows:

(A) *Procedures for determining a site-specific emission limit.* A site-specific emission limit shall be determined using Equation 4 of this section.

$$SSEL = \frac{(MGs * ELs) + (MGns * ELns)}{MGs + MGns} \quad [Eq. 4]$$

Where:

SSEL = Site specific emission limit, kg of organic HAP/Mg of product.

MGs = Megagrams of solvent-based resin product produced, megagrams.

MGns = Megagrams of non-solvent-based resin product produced, megagrams.

ELs = Emission limit for solvent-based resin product, kg organic HAP/Mg solvent-based resin product.

ELns = Emission limit for non-solvent-based resin product, kg organic HAP/Mg non-solvent-based resin product.

(B) *Initial compliance.* For purposes of determining initial compliance, the site-specific emission limit shall be based on production for the first 6 months beginning January 20, 2000 or the first 6 months after initial start-up, whichever is later. Using the site-specific emission limit, initial compliance shall be demonstrated using the procedures in paragraph (e)(2)(i)(A) of this section, as appropriate.

(C) *Continuous compliance.* For purposes of determining continuous compliance for the period of operation

starting at the beginning of the 7th month and ending after the 12th month, the site-specific emission limit shall be determined each month based on production for the cumulative period. For purposes of determining continuous compliance after the first year of production, the site-specific emission limit shall be determined each month based on production for a 12-month rolling period. Using the site-specific emission limit, continuous compliance shall be demonstrated using the procedures in paragraph (e)(2)(i)(B) of this section, as appropriate.

(3) *Compliance by venting to a flare.* Initial compliance with the standards specified in §63.1406(a)(1)(i) and (a)(2)(i) and §63.1407(a)(2)(i) and (a)(3)(i) shall be demonstrated following the procedures specified in paragraph (g) of this section. Continuous compliance with these standards shall be demonstrated following the continuous monitoring procedures specified in §63.1415.

(4) *Compliance with alternative standard.* Initial and continuous compliance with the alternative standard specified in §§ 63.1406(b) and 63.1407(b)(1) shall be demonstrated following the procedures in paragraph (f) of this section.

(f) *Compliance with alternative standard.* Initial and continuous compliance with the alternative standards in §§ 63.1404(b), 63.1405(c), 63.1406(b), 63.1407(b)(1), and 63.1408(b)(1) are demonstrated when the daily average outlet organic HAP concentration is 20 ppmv or less when using a combustion control device or 50 ppmv or less when using a non-combustion control device. To demonstrate initial and continuous compliance, the owner or operator shall follow the test method specified in § 63.1414(a)(6) and shall be in compliance with the monitoring provisions in § 63.1415(e) no later than the initial compliance date and on each day thereafter.

(g) *Flare compliance demonstrations.* Notwithstanding any other provision of this subpart, if an owner or operator of an affected source uses a flare to comply with any of the requirements of this subpart, the owner or operator shall comply with paragraphs (g)(1) through (3) of this section. When using a flare to comply, the owner or operator is not required to conduct a performance test to determine percent emission reduction or outlet organic HAP concentration. If a compliance demonstration has been conducted previously for a flare, using the techniques specified in paragraphs (g)(1) through (3) of this section, that compliance demonstration may be used to satisfy the requirements of this paragraph if either no deliberate process changes have been made since the compliance demonstration, or the results of the compliance demonstration reliably demonstrate compliance despite process changes.

(1) Conduct a visible emission test using the techniques specified in § 63.11(b)(4).

(2) Determine the net heating value of the gas being combusted using the techniques specified in § 63.11(b)(6).

(3) Determine the exit velocity using the techniques specified in either § 63.11(b)(7)(i) (and § 63.11(b)(7)(iii),

where applicable) or § 63.11(b)(8), as appropriate.

(h) *Continuous process vent compliance at existing sources.* (1) Each owner or operator complying with the mass emission limit specified in § 63.1405(b)(2)(i) shall determine initial compliance as specified in paragraph (h)(1)(i) of this section and continuous compliance as specified in paragraph (h)(1)(ii) of this section.

(i) *Initial compliance.* Initial compliance shall be determined by comparing the results of the performance test or design evaluation, as specified in paragraph (a)(1) of this section, to the mass emission limit specified in § 63.1405(b)(2)(i).

(ii) *Continuous compliance.* Continuous compliance shall be based on the daily average emission rate calculated for each operating day. The first continuous compliance average daily emission rate shall be calculated using the first 24-hour period or otherwise-specified operating day after the compliance date. Continuous compliance shall be determined by comparing the daily average emission rate to the mass emission limit specified in § 63.1405(b)(2)(i).

(2) As required by paragraph (c)(6)(ii) of this section, each owner or operator complying with the emission rate limits specified in § 63.1405(b)(2)(ii) and (iii), as applicable, by means other than those specified in paragraph (c)(6)(i) of this section, shall determine initial compliance as specified in paragraph (h)(2)(i) of this section and continuous compliance as specified in paragraph (h)(2)(ii) of this section.

(i) *Initial compliance.* Initial compliance shall be determined by comparing the results of the performance test or design evaluation, as specified in paragraph (a)(1) of this section, to the emission rate limits specified in § 63.1405(b)(2)(ii) and (iii), as applicable.

(ii) *Continuous compliance.* Continuous compliance shall be based on the hourly average emission rate calculated for each operating day. The first continuous compliance average hourly emission rate shall be calculated using the first 24-hour period or otherwise-specified operating day after the compliance date. Continuous compliance shall be determined by comparing the average hourly emission

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rate to the emission rate limit specified in § 63.1405(b)(2)(ii) or (iii), as applicable.

(3) *Procedures to determine continuous compliance with the mass emission limit specified in § 63.1405(b)(2)(i).*

(i) The daily emission rate, kilograms of organic HAP per megagram of product, shall be determined for each operating day using Equation 5 of this section:

$$ER = \frac{E_i}{RP_m} \quad [\text{Eq.5}]$$

Where:

ER = Emission rate of organic HAP from continuous process vent, kg of HAP/Mg product.

$E_i$  = Emission rate of organic HAP from continuous process vent  $i$  as determined using the procedures specified in paragraph (h)(3)(ii) of this section, kg/day.

$RP_m$  = Amount of resin produced in one month as determined using the procedures specified in paragraph (h)(3)(iii) of this section, Mg/day.

(ii) The daily emission rate of organic HAP, in kilograms per day, from an individual continuous process vent ( $E_i$ ) shall be determined. Once organic HAP emissions have been estimated, as specified in paragraph (h)(3)(ii)(A) of this section for uncontrolled continuous process vents or paragraphs (h)(3)(ii)(A) and (B) of this section for continuous process vents vented to a control device or control technology, the owner or operator may use the estimated organic HAP emissions ( $E_i$ ) until the estimated organic HAP emissions are no longer representative due to a process change or other reason known to the owner or operator. If organic HAP emissions ( $E_i$ ) are determined to no longer be representative, the owner or operator shall redetermine organic HAP emissions for the continuous process vent following the procedures in paragraph (h)(3)(ii)(A) of this section for uncontrolled continuous process vents or paragraphs (h)(3)(ii)(A) and (B) of this section for continuous process vents vented to a control device or control technology.

(A) For continuous process vents estimated through engineering assessment, as described in § 63.1414(d)(10), to emit less than 10 tons per year of uncontrolled organic HAP emissions, the owner or operator may use the emissions determined using engineering as-

essment in Equation 5 of this section or may determine organic HAP emissions using the procedures specified in paragraph (a)(1)(i) of this section. For continuous process vents estimated through engineering assessment, as described in § 63.1414(d)(10), to emit 10 tons per year or greater of uncontrolled organic HAP emissions, uncontrolled organic HAP emissions shall be estimated following the procedures specified in paragraph (a)(1)(i) of this section.

(B) For continuous process vents vented to a control device or control technology, controlled organic HAP emissions shall be determined as follows:

(1) Uncontrolled organic HAP emissions shall be determined following the procedures in paragraph (h)(3)(ii)(A) of this section.

(2) Control device or control technology efficiency shall be determined using the procedures in paragraph (a)(1)(i) of this section for large control devices or the procedures in paragraph (a)(1)(ii) of this section for small control devices.

(3) Controlled organic HAP emissions shall be determined by applying the control device or control technology efficiency, determined in paragraph (h)(3)(ii)(B)(2) of this section, to the uncontrolled organic HAP emissions, determined in paragraph (h)(3)(ii)(B)(1) of this section.

(iii) The rate of resin produced,  $RP_M$  (Mg/day), shall be determined based on production records certified by the owner or operator to represent actual production for the day. A sample of the records selected by the owner or operator for this purpose shall be provided to the Administrator in the

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Precompliance Report as required by § 63.1417(d).

(4) *Procedures to determine continuous compliance with the emission rate limit specified in § 63.1405(b)(2)(ii) or (iii).*

(i) The hourly emission rate, kilograms of organic HAP per hour, shall be determined for each hour during the operating day using Equation 6 of this section:

$$E_H = K_2 \left( \sum_{j=1}^n C_j M_j \right) Q_s \quad [\text{Eq.6}]$$

Where:

$E_H$  = Hourly emission rate of organic HAP in the sample, kilograms per hour.

$K_2$  = Constant,  $2.494 \times 10^{-6}$  (parts per million)<sup>-1</sup> (gram-mole per standard cubic meter) (kilogram/gram) (minutes/hour), where standard temperature for (gram-mole per standard cubic meter) is 20 °C.

$n$  = Number of components in the sample.

$C_j$  = Organic HAP concentration on a dry basis of organic compound  $j$  in parts per million as determined by the methods specified in paragraph (h)(4)(ii) of this section.

$M_j$  = Molecular weight of organic compound  $j$ , gram/gram-mole.

$Q_s$  = Continuous process vent flow rate, dry standard cubic meters per minute, at a temperature of 20 °C, as determined by the methods specified in paragraph (h)(4)(ii) of this section.

(ii) The average hourly emission rate, kilograms of organic HAP per hour, shall be determined for each operating day using Equation 7 of this section:

$$AE = \frac{\sum_{i=1}^n E_H}{n} \quad [\text{Eq.7}]$$

Where:

$AE$  = Average hourly emission rate per operating day, kilograms per hour.

$n$  = Number of hours in the operating day.

(ii) Continuous process vent flow rate and organic HAP concentration shall be determined using the procedures specified in § 63.1414(a), or by using the engineering assessment procedures in paragraph (h)(4)(iii) of this section.

(iii) *Engineering assessment.* For the purposes of determining continuous compliance with the emission rate limit specified in § 63.1405(b)(2)(ii) or (iii) using Equations 6 and 7, engineering assessments may be used to determine continuous process vent flow rate and organic HAP concentration. An engineering assessment includes, but is not limited to, the following examples:

(A) Previous test results, provided the tests are representative of current operating practices.

(B) Bench-scale or pilot-scale test data representative of the process under representative operating conditions.

(C) Maximum volumetric flow rate or organic HAP concentration specified or implied within a permit limit applicable to the continuous process vent.

(D) Design analysis based on accepted chemical engineering principles, measurable process parameters, or physical or chemical laws or properties. Examples of analytical methods include, but are not limited to, the following:

(1) Estimation of maximum organic HAP concentrations based on process stoichiometry material balances or saturation conditions; and

(2) Estimation of maximum volumetric flow rate based on physical equipment design, such as pump or blower capacities.

(i) *Deviations.* Paragraphs (i)(1) through (4) of this section describe deviations from the emission limits, the operating limits, the work practice standards, and the emission standard, respectively. Paragraph (i)(5) of this section describes situations that are not deviations. Paragraph (i)(6) of this

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section describes periods that are excluded from compliance determinations.

(1) *Deviations from the emission limit.* The following are deviations from the emission limit:

(i) Exceedance of the condenser outlet gas temperature limit (i.e., having an average value higher than the established maximum level) monitored according to the provisions of § 63.1415(b)(3);

(ii) Exceedance of the outlet concentration (i.e., having an average value higher than the established maximum level) monitored according to the provisions of § 63.1415(b)(8);

(iii) Exceedance of the mass emission limit (i.e., having an average value higher than the specified limit) monitored according to the provisions of paragraph (e)(2) of this section for batch process vents and according to the provisions of paragraph (h)(1) of this section for continuous process vents;

(iv) Exceedance of the organic HAP outlet concentration limit (i.e., having an average value higher than the specified limit) monitored according to the provisions of § 63.1415(e); and

(v) Exceedance of the emission rate limit (i.e., having an average value higher than the specified limit) determined according to the provisions of paragraph (h)(2) of this section.

(2) *Deviations from the operating limit.* Exceedance of the parameters monitored according to § 63.1415(b)(1), (b)(2), and (b)(4) through (7) are considered deviations from the operating limit. An exceedance of the monitored parameter has occurred if:

(i) The parameter, averaged over the operating day or block, is below a minimum value established during the initial compliance demonstration; or (ii) The parameter, averaged over the operating day or block, is above the maximum value established during the initial compliance demonstration.

(3) *Deviations from the work practice standard.* If all flames at the pilot light of a flare are absent, there has been a deviation from the work practice standard.

(4) *Deviation from the emission standard.* If monitoring data are insufficient, as described in paragraphs (i)(4)(i)

through (iii) of this section, there has been a deviation from the emission standard.

(i) The period of control device or control technology operation is 4 hours or greater in an operating day, and monitoring data are insufficient to constitute a valid hour of data, as defined in paragraph (i)(4)(iii) of this section, for at least 75 percent of the operating hours;

(ii) The period of control device or control technology operation is less than 4 hours in an operating day, and more than one of the hours during the period of operation does not constitute a valid hour of data due to insufficient monitoring data; and

(iii) Monitoring data are insufficient to constitute a valid hour of data, as used in paragraphs (i)(4)(i) and (ii) of this section, if measured values are unavailable for any of the 15-minute periods within the hour. For data compression systems approved under § 63.1417(k)(3), monitoring data are insufficient to calculate a valid hour of data if there are less than four data measurements made during the hour.

(5) *Situations that are not deviations.* If any of the situations listed in paragraphs (i)(5)(i) or (ii) of this section occur, such situations shall not be considered to be deviations.

(i) Monitoring data cannot be collected during monitoring device calibration check or monitoring device malfunction; or

(ii) Monitoring data are not collected during periods of nonoperation of the affected source or portion thereof (resulting in cessation of the emissions to which the monitoring applies).

(6) *Periods not considered to be part of the period of control or recovery device operation.* The periods listed in paragraphs (i)(6)(i) and (ii) of this section are not considered to be part of the period of control or recovery device operation for purposes of determining averages or periods of control device or control technology operation.

(i) Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments; or

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(ii) Periods of nonoperation of the affected source (or portion thereof), resulting in cessation of the emissions to which the monitoring applies.

[65 FR 3290, Jan. 20, 2000, as amended at 65 FR 8768, Feb. 22, 2000; 71 FR 20460, Apr. 20, 2006; 79 FR 60931, Oct. 8, 2014; 83 FR 51853, Oct. 15, 2018]

**§ 63.1414 Test methods and emission estimation equations.**

(a) *Test methods.* When required to conduct a performance test, the owner or operator shall use the test methods specified in paragraphs (a)(1) through (6) of this section, except where another section of this subpart requires either the use of a specific test method or the use of requirements in another subpart containing specific test method requirements.

(1) Method 1 or 1A, 40 CFR part 60, appendix A, shall be used for selection of the sampling sites if the flow measuring device is a pitot tube, except that references to particulate matter in Method 1A do not apply for the purposes of this subpart. No traverse is necessary when Method 2A or 2D, 40 CFR part 60, appendix A is used to determine gas stream volumetric flow rate.

(2) Method 2, 2A, 2C, or 2D, 40 CFR part 60, appendix A, is used for velocity and volumetric flow rates.

(3) Method 3, 40 CFR part 60, appendix A, is used for gas analysis.

(4) Method 4, 40 CFR part 60, appendix A, is used for stack gas moisture.

(5) The following methods shall be used to determine the organic HAP concentration.

(i) Method 316 or Method 320, 40 CFR part 60, appendix A, shall be used to determine the concentration of formaldehyde.

(ii) Method 18, 40 CFR part 60, appendix A, shall be used to determine the concentration of all organic HAP other than formaldehyde.

(iii) Method 308, 40 CFR part 60, appendix A, may be used as an alternative to Method 18 to determine the concentration of methanol.

(6) When complying with the alternative standard, as specified in § 63.1413(f), the owner or operator shall use a Fourier Transform Infrared Spectroscopy (FTIR) instrument following

Method PS-15, 40 CFR part 60, appendix B.

(b) *Batch process vent performance testing procedures—(1) Average batch vent flow rate determination.* The average batch vent flow rate for a batch emission episode shall be calculated using Equation 1 of this section:

$$AFR_{\text{episode}} = \frac{\sum_{i=1}^n FR_i}{n} \quad [\text{Eq. 1}]$$

Where:

$AFR_{\text{episode}}$  = Average batch vent flow rate for the batch emission episode, scmm.

$FR_i$  = Volumetric flow rate for individual measurement  $i$ , taken every 15 minutes using the procedures in paragraph (a)(2) of this section, scmm.

$n$  = Number of flow rate measurements taken during the batch emission episode.

(2) *Average batch vent concentration determination using an integrated sample.* If an integrated sample is taken over the entire batch emission episode to determine the average batch vent concentration of total organic HAP, organic HAP emissions shall be calculated using Equation 2 of this section:

$$E_{\text{episode}} = K \left[ \sum_{j=1}^n (C_j)(M_j) \right] AFR(T_h) \quad [\text{Eq. 2}]$$

Where:

$E_{\text{episode}}$  = Emissions, kg/episode.

$K$  = Constant,  $2.494 \times 10^{-6} (\text{ppmv})^{-1} (\text{gm-mole/scm}) (\text{kg/gm}) (\text{min/hr})$ , where standard temperature is 20 °C.

$C_j$  = Average batch vent concentration of sample organic HAP component  $j$  of the gas stream, dry basis, ppmv.

$M_j$  = Molecular weight of sample organic HAP component  $j$  of the gas stream, gm/gm-mole.

$AFR$  = Average batch vent flow rate of gas stream, dry basis, scmm.

$T_h$  = Hours/episode.

$n$  = Number of organic HAP in stream.

(3) *Average batch vent concentration determination using grab samples.* If grab samples are taken to determine the average batch vent concentration of total organic HAP, organic HAP emissions shall be calculated as follows:

(i) For each measurement point, the emission rate shall be calculated using Equation 3 of this section:



$$E_{\text{point}} = K \left[ \sum_{j=1}^n C_j M_j \right] FR \quad [\text{Eq. 3}]$$

Where:

$E_{\text{point}}$  = Emission rate for individual measurement point, kg/hr.

$K$  = Constant,  $2,494 \times 10^{-6}$  (ppmv)<sup>-1</sup> (gm-mole/scm) (kg/gm) (min/hr), where standard temperature is 20 °C.

$C_j$  = Concentration of sample organic HAP component  $j$  of the gas stream, dry basis, ppmv.

$M_j$  = Molecular weight of sample organic HAP component  $j$  of the gas stream, gm/gm-mole.

$FR$  = Flow rate of gas stream for the measurement point, dry basis, scmm.

$n$  = Number of organic HAP in stream.

(ii) The organic HAP emissions per batch emission episode shall be calculated using Equation 4 of this section:

$$E_{\text{episode}} = (\text{DUR}) \left[ \sum_{i=1}^n \frac{E_i}{n} \right] \quad [\text{Eq. 4}]$$

Where:

$E_{\text{episode}}$  = Emissions, kg/episode.

$\text{DUR}$  = Duration of the batch emission episode, hr/episode.

$E_i$  = Emissions for measurement point  $i$ , kg/hr.

$n$  = Number of measurements.

(4) *Control device efficiency determination for a batch emission episode.* The control efficiency for the control device shall be calculated using Equation 5 of this section:

$$R = \frac{\sum_{i=1}^n E_{\text{inlet},i} - \sum_{i=1}^n E_{\text{outlet},i}}{\sum_{i=1}^n E_{\text{inlet},i}} (100) \quad [\text{Eq. 5}]$$

Where:

$R$  = Control efficiency of control device, percent.

$E_{\text{inlet}}$  = Mass rate of total organic HAP for batch emission episode  $i$  at the inlet to the control device as calculated under paragraph (b)(2) or (b)(3) of this section, kg/episode.

$E_{\text{outlet}}$  = Mass rate of total organic HAP for batch emission episode  $i$  at the outlet of the control device, as calculated under paragraph (b)(2) or (b)(3) of this section, kg/episode.

$n$  = Number of batch emission episodes in the batch cycle selected to be controlled.

(c) *Percent oxygen correction for combustion control devices.* If the control device is a combustion device, total organic HAP concentrations shall be corrected to 3 percent oxygen when supplemental combustion air is used to combust the emissions. The integrated sampling and analysis procedures of Method 3B, 40 CFR part 60, appendix A, shall be used to determine the actual oxygen concentration (%O<sub>2d</sub>). The samples shall be taken during the same time that the total organic HAP samples are taken. The concentration corrected to 3 percent oxygen ( $C_c$ ) shall be computed using Equation 6 of this section:

$$C_c = C_m \left( \frac{17.9}{20.9 - \%O_{2d}} \right) \quad [\text{Eq. 6}]$$

Where:

$C_c$  = Concentration of total organic HAP corrected to 3 percent oxygen, dry basis, ppmv.

$C_m$  = Total concentration of TOC in vented gas stream, average of samples, dry basis, ppmv.

%O<sub>2d</sub> = Concentration of oxygen measured in vented gas stream, dry basis, percent by volume.

(d) *Uncontrolled organic HAP emissions.* Uncontrolled organic HAP emissions for individual reactor batch process vents or individual non-reactor batch process vents shall be determined using the procedures specified in paragraphs (d)(1) through (8) of this section. To estimate organic HAP emissions from a batch emissions episode, owners or operators may use either the emissions estimation equations in paragraphs (d)(1) through (4) of this section, or direct measurement as specified in paragraph (d)(5) of this section. Engineering assessment may be used to estimate organic HAP emissions from a batch emission episode only under the conditions described in paragraph (d)(6) of this section. In using the emissions estimation equations in paragraphs (d)(1) through (4) of this section, individual component vapor pressure and molecular weight may be obtained from standard references. Methods to determine individual HAP partial pressures in multi-component systems are described in paragraph (d)(9) of this section. Other

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variables in the emissions estimation equations may be obtained through direct measurement, as defined in paragraph (d)(5) of this section; through engineering assessment, as defined in paragraph (d)(6)(ii) of this section; by process knowledge; or by any other appropriate means. Assumptions used in determining these variables shall be documented as specified in § 63.1417. Once organic HAP emissions for the batch emission episode have been determined using either the emissions estimation equations, direct measurement, or engineering assessment, or-

ganic HAP emissions from a single batch cycle shall be calculated in accordance with paragraph (d)(7) of this section, and annual organic HAP emissions from the batch process vent shall be calculated in accordance with paragraph (d)(8) of this section.

(1) *Emissions from purging of empty vessels.* Organic HAP emissions from the purging of an empty vessel shall be calculated using Equation 7 of this section. Equation 7 of this section does not take into account evaporation of any residual liquid in the vessel:

$$E_{\text{episode}} = \frac{(V_{\text{ves}})(P)(MW_{\text{wavg}})}{RT} (1 - 0.37^m) \quad [\text{Eq. 7}]$$

Where:

$E_{\text{episode}}$  = Emissions, kg/episode.  
 $V_{\text{ves}}$  = Volume of vessel, m<sup>3</sup>.  
 $P$  = Total organic HAP partial pressure, kPa.  
 $MW_{\text{wavg}}$  = Weighted average molecular weight of organic HAP in vapor, determined in accordance with paragraph (d)(4)(i)(D) of this section, kg/kmol.  
 $R$  = Ideal gas constant, 8.314 m<sup>3</sup>·kPa/kmol·K.  
 $T$  = Temperature of vessel vapor space, K.  
 $m$  = Number of volumes of purge gas used.

(2) *Emissions from purging of filled vessels.* Organic HAP emissions from the purging of a filled vessel shall be calculated using Equation 8 of this section:

$$E_{\text{episode}} = \frac{(y)(V_{\text{dr}})(P^2)(MW_{\text{wavg}})}{RT \left( P - \sum_{i=1}^n P_i x_i \right)} (T_m) \quad [\text{Eq. 8}]$$

Where:

$E_{\text{episode}}$  = Emissions, kg/episode.  
 $y$  = Saturated mole fraction of all organic HAP in vapor phase.  
 $V_{\text{dr}}$  = Volumetric gas displacement rate, m<sup>3</sup>/min.  
 $P$  = Pressure in vessel vapor space, kPa.  
 $MW_{\text{wavg}}$  = Weighted average molecular weight of organic HAP in vapor, determined in accordance with paragraph (d)(4)(i)(D) of this section, kg/kmol.  
 $R$  = Ideal gas constant, 8.314 m<sup>3</sup>·kPa/kmol·K.  
 $T$  = Temperature of vessel vapor space, K.  
 $P_i$  = Vapor pressure of individual organic HAP  $i$ , kPa.  
 $x_i$  = Mole fraction of organic HAP  $i$  in the liquid.  
 $n$  = Number of organic HAP in stream.

$T_m$  = Minutes/episode.

(3) *Emissions from vapor displacement.* Organic HAP emissions from vapor displacement due to transfer of material into or out of a vessel shall be calculated using Equation 9 of this section:

$$E_{\text{episode}} = \frac{(y)(V)(P)(MW_{\text{wavg}})}{RT} \quad [\text{Eq. 9}]$$

Where:

$E_{\text{episode}}$  = Emissions, kg/episode.  
 $y$  = Saturated mole fraction of all organic HAP in vapor phase.  
 $V$  = Volume of gas displaced from the vessel, m<sup>3</sup>.  
 $P$  = Pressure in vessel vapor space, kPa.  
 $MW_{\text{wavg}}$  = Weighted average molecular weight of organic HAP in vapor, determined in accordance with paragraph (d)(4)(i)(D) of this section, kg/kmol.  
 $R$  = Ideal gas constant, 8.314 m<sup>3</sup>·kPa/kmol·K.  
 $T$  = Temperature of vessel vapor space, K.

(4) *Emissions from heating of vessels.* Organic HAP emissions caused by the heating of a vessel shall be calculated using the procedures in either paragraph (d)(4)(i),(ii), or (iii) of this section, as appropriate.

(i) If the final temperature to which the vessel contents is heated is lower than 50 K below the boiling point of the HAP in the vessel, then organic HAP emissions shall be calculated using the equations in paragraphs (d)(4)(i)(A) through (D) of this section.

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(A) Organic HAP emissions caused by heating of a vessel shall be calculated using Equation 10 of this section. The assumptions made for this calculation are atmospheric pressure of 760 milli-

meters of mercury (mm Hg) and the displaced gas is always saturated with volatile organic compounds (VOC) vapor in equilibrium with the liquid mixture:

$$E_{\text{episode}} = \left[ \frac{\frac{\sum_{i=1}^n (P_i)T_1}{101.325 - \sum_{i=1}^n (P_i)T_1} + \frac{\sum_{i=1}^n (P_i)T_2}{101.325 - \sum_{i=1}^n (P_i)T_2}}{2} \right] * (\Delta\eta) \left[ \frac{(MW_{\text{wavg},T_1} + MW_{\text{wavg},T_2})}{2} \right] \quad [\text{Eq. 10}]$$

Where:

$E_{\text{episode}}$  = Emissions, kg/episode.

$(P_i)_{T_1}$ ,  $(P_i)_{T_2}$  = Partial pressure (kPa) of each organic HAP  $i$  in the vessel headspace at initial ( $T_1$ ) and final ( $T_2$ ) temperature.

$n$  = Number of organic HAP in stream.

$\Delta\eta$  = Number of kilogram-moles (kg-moles) of gas displaced, determined in accordance with paragraph (d)(4)(i)(B) of this section.

101.325 = Constant, kPa.

$(MW_{\text{wavg}, T_1})$ ,  $(MW_{\text{wavg}, T_2})$  = Weighted average molecular weight of total organic HAP in the displaced gas stream, determined in accordance with paragraph (d)(4)(i)(D) of this section, kg/kmol.

(B) The moles of gas displaced,  $\Delta$ , is calculated using Equation 11 of this section:

$$\Delta\eta = \frac{V_{\text{fs}}}{R} \left[ \left( \frac{Pa_1}{T_1} \right) - \left( \frac{Pa_2}{T_2} \right) \right] \quad [\text{Eq. 11}]$$

Where:

$\Delta\eta$  = Number of kg-moles of gas displaced.

$V_{\text{fs}}$  = Volume of free space in the vessel,  $m^3$ .

$R$  = Ideal gas constant,  $8.314 \text{ m}^3 \cdot \text{kPa} / \text{kmol} \cdot \text{K}$ .

$Pa_1$  = Initial noncondensable gas partial pressure in the vessel, kPa.

$Pa_2$  = Final noncondensable gas partial pressure in the vessel, kPa.

$T_1$  = Initial temperature of vessel, K.

$T_2$  = Final temperature of vessel, K.

(C) The initial and final pressure of the noncondensable gas in the vessel shall be calculated using Equation 12 of this section:

$$Pa = 101.325 - \sum_{i=1}^n (P_i)T \quad [\text{Eq. 12}]$$

Where:

$Pa$  = Initial or final partial pressure of noncondensable gas in the vessel headspace, kPa.

101.325 = Constant, kPa.

$(P_i)_T$  = Partial pressure of each organic HAP  $i$  in the vessel headspace, kPa, at the initial or final temperature ( $T_1$  or  $T_2$ ).

$n$  = Number of organic HAP in stream.

(D) The weighted average molecular weight of organic HAP in the displaced gas,  $MW_{\text{wavg}}$ , shall be calculated using Equation 13 of this section:

$$MW_{\text{wavg}} = \frac{\sum_{i=1}^n (\text{mass of } C)_i (\text{molecular weight of } C)_i}{\sum_{i=1}^n (\text{mass of } C)_i} \quad [\text{Eq. 13}]$$

Where:

$C$  = Organic HAP component

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n = Number of organic HAP components in stream.

(ii) If the vessel contents are heated to a temperature greater than 50 K below the boiling point, then organic HAP emissions from the heating of a vessel shall be calculated as the sum of the organic HAP emissions calculated in accordance with paragraphs (d)(4)(ii)(A) and (B) of this section.

(A) For the interval from the initial temperature to the temperature 50 K below the boiling point, organic HAP emissions shall be calculated using Equation 10 of this section, where T<sub>2</sub> is the temperature 50 K below the boiling point.

(B) For the interval from the temperature 50 K below the boiling point to the final temperature, organic HAP emissions shall be calculated as the summation of emissions for each 5 K increment, where the emissions for each increment shall be calculated using Equation 10 of this section.

(1) If the final temperature of the heatup is at or lower than 5 K below the boiling point, the final temperature for the last increment shall be the final temperature for the heatup, even if the last increment is less than 5 K.

(2) If the final temperature of the heatup is higher than 5 K below the boiling point, the final temperature for the last increment shall be the tem-

perature 5 K below the boiling point, even if the last increment is less than 5 K.

(3) If the vessel contents are heated to the boiling point and the vessel is not operating with a condenser, the final temperature for the final increment shall be the temperature 5 K below the boiling point, even if the last increment is less than 5 K.

(iii) If the vessel is operating with a condenser, and the vessel contents are heated to the boiling point, the process condenser, as defined in §63.1402, is considered part of the process. Organic HAP emissions shall be calculated as the sum of emissions calculated using Equation 10 of this section, which calculates organic HAP emissions due to heating the vessel contents to the temperature of the gas exiting the condenser, and emissions calculated using Equation 9 of this section, which calculates emissions due to the displacement of the remaining saturated non-condensable gas in the vessel. The final temperature in Equation 10 of this section shall be set equal to the exit gas temperature of the condenser. Equation 9 of this section shall be used as written below in Equation 14 of this section, using free space volume, and T is set equal to the condenser exit gas temperature:

$$E_{\text{episode}} = \frac{(y)(V_{\text{fs}})(P)(MW_{\text{wavg}})}{RT} \quad [\text{Eq. 14}]$$

Where:

E<sub>episode</sub> = Emissions, kg/episode.

y = Saturated mole fraction of all organic HAP in vapor phase.

V<sub>fs</sub> = Volume of the free space in the vessel, m<sup>3</sup>.

P = Pressure in vessel vapor space, kPa.

MW<sub>wavg</sub> = Weighted average molecular weight of organic HAP in vapor, determined in accordance with paragraph (d)(4)(i)(D) of this section, kg/kmol.

R = Ideal gas constant, 8.314 m<sup>3</sup>-kPa/kmol-K.

T = Temperature of condenser exit stream, K.

(5) *Emissions determined by direct measurement.* The owner or operator may estimate annual organic HAP emissions for a batch emission episode by direct

measurement. The test methods and procedures specified in paragraphs (a) and (b) of this section shall be used for direct measurement. If direct measurement is used, the owner or operator shall perform a test for the duration of a representative batch emission episode. Alternatively, the owner or operator may perform a test during only those periods of the batch emission episode for which the emission rate for the entire episode can be determined or for which the emissions are greater than the average emission rate of the batch emission episode. The owner or operator choosing either of these options shall develop an emission profile

illustrating the emission rate (kilogram per unit time) over the entire batch emission episode, based on either process knowledge or test data, to demonstrate that test periods are representative. Examples of information that could constitute process knowledge include calculations based on material balances and process stoichiometry. Previous test results may be used to develop the emission profile provided the results are still relevant to the current batch process vent conditions. The emission profile shall be included in the site-specific test plan required by § 63.1417(h)(2).

(6) *Emissions determined by engineering assessment.* To use engineering assessment to estimate organic HAP emissions from a batch emission episode, owners or operators shall comply with paragraphs (d)(6)(i) through (iii) of this section.

(i) If the criteria specified in paragraphs (d)(6)(i)(A), (B), and (C) of this section are met for a specific batch emission episode, the owner or operator may use engineering assessment to estimate organic HAP emissions from that batch emission episode.

(A) Previous test data, where the measurement of organic HAP emissions was an outcome of the test, that show a greater than 20 percent discrepancy between the test value and the value estimated using the applicable equations in paragraphs (d)(1) through (4) of this section. Paragraphs (d)(6)(i)(A)(1) and (2) of this section describe test data that will be acceptable under this paragraph.

(1) Test data for the batch emission episode obtained during production of the product for which the demonstration is being made.

(2) Test data obtained for a batch emission episode from another process train where the test data were obtained during production of the product for which the demonstration is being made. Test data from another process train may be used only if the owner or operator can demonstrate that the data are representative of the batch emission episode for which the demonstration is being made, taking into account the nature, size, operating conditions, production rate, and sequence of process steps (e.g., reaction,

distillation, etc.) of the equipment in the other process train.

(B) Previous test data for the batch emission episode with the highest organic HAP emissions on a mass basis where the measurement of organic HAP emissions was an outcome of the test, where data were obtained during the production of the product for which the demonstration is being made, and where the data show a greater than 20 percent discrepancy between the test value and the value estimated using the applicable equations in paragraphs (d)(1) through (4) of this section. If the criteria in this paragraph are met, then engineering assessment may be used for all batch emission episodes associated with that batch cycle for the batch unit operation.

(C) The owner or operator has requested and been granted approval to use engineering assessment to estimate organic HAP emissions from a batch emissions episode. The request to use engineering assessment to estimate organic HAP emissions from a batch emissions episode shall contain sufficient information and data to demonstrate to the Administrator that engineering assessment is an accurate means of estimating organic HAP emissions for that particular batch emissions episode. The request to use engineering assessment to estimate organic HAP emissions for a batch emissions episode shall be submitted in the Precompliance Report, as required by § 63.1417(d).

(ii) Engineering assessment includes, but is not limited to, the following:

(A) Previous test results, provided the tests are representative of current operating practices;

(B) Bench-scale or pilot-scale test data obtained under conditions representative of current process operating conditions;

(C) Flow rate or organic HAP emission rate specified or implied within a permit limit applicable to the batch process vent; and

(D) Design analysis based on accepted chemical engineering principles, measurable process parameters, or physical or chemical laws or properties. Examples of analytical methods include, but are not limited to:

(1) Use of material balances;

(2) Estimation of flow rate based on physical equipment design such as pump or blower capacities;

(3) Estimation of organic HAP concentrations based on saturation conditions; and

(4) Estimation of organic HAP concentrations based on grab samples of the liquid or vapor.

(iii) Data or other information used to demonstrate that the criteria in paragraph (d)(6)(i) of this section have been met shall be reported as specified in paragraphs (d)(6)(iii)(A) and (B) of this section.

(A) Data or other information used to demonstrate that the criteria in paragraphs (d)(6)(i)(A) and (B) of this section have been met shall be reported in the Notification of Compliance Status, as required by § 63.1417(e)(9).

(B) The request for approval to use engineering assessment to estimate organic HAP emissions from a batch emissions episode as allowed under paragraph (d)(6)(i)(C) of this section, and sufficient data or other information for demonstrating to the Administrator that engineering assessment is an accurate means of estimating organic HAP emissions for that particular batch emissions episode shall be submitted with the Precompliance Report, as required by § 63.1417(d).

(7) *Emissions for a single batch cycle.* For each batch process vent, the organic HAP emissions associated with a single batch cycle shall be calculated using Equation 15 of this section:

$$E_{\text{cycle}} = \sum_{i=1}^n E_{\text{episode}_i} \quad [\text{Eq. 15}]$$

Where:

$E_{\text{cycle}}$  = Emissions for an individual batch cycle, kg/batch cycle.

$E_{\text{episode}_i}$  = Emissions from batch emission episode  $i$ , kg/episode.

$n$  = Number of batch emission episodes for the batch cycle.

(8) *Annual emissions from a batch process vent.* Annual organic HAP emissions from a batch process vent shall be calculated using Equation 16 of this section:

$$AE = \sum_{i=1}^n (N_i)(E_{\text{cycle}_i}) \quad [\text{Eq. 16}]$$

Where:

$AE$  = Annual emissions from a batch process vent, kg/yr.

$N_i$  = Number of type  $i$  batch cycles performed annually, cycles/year.

$E_{\text{cycle}_i}$  = Emissions from the batch process vent associated with a single type  $i$  batch cycle, as determined in paragraph (d)(7) of this section, kg/batch cycle.

$n$  = Number of different types of batch cycles that cause the emission of organic HAP from the batch process vent.

(9) *Partial pressures in multicomponent systems.* Individual HAP partial pressures in multicomponent systems shall be determined using the appropriate method specified in paragraphs (d)(9)(i) through (iii) of this section.

(i) If the components are miscible, use Raoult's law to calculate the partial pressures;

(ii) If the solution is a dilute aqueous mixture, use Henry's law constants to calculate partial pressures;

(iii) If Raoult's law or Henry's law is not appropriate or available, the owner or operator may use any of the options in paragraph (d)(9)(iii)(A), (B), or (C) of this section.

(A) Experimentally obtained activity coefficients, Henry's law constants, or solubility data;

(B) Models, such as group-contribution models, to predict activity coefficients; or

(C) Assume the components of the system behave independently and use the summation of all vapor pressures from the HAPs as the total HAP partial pressure.

(10) For continuous process vent emissions determined by engineering assessment, the engineering assessment includes, but is not limited to, the examples provided in § 63.1412(k)(3).

[65 FR 3290, Jan. 20, 2000, as amended at 79 FR 60932, Oct. 8, 2014]

#### § 63.1415 Monitoring requirements.

(a) *General requirements.* Each owner or operator of an emission point located at an affected source that uses a control device to comply with the requirements of this subpart and has one or more parameter monitoring level requirement specified under this subpart, shall install the monitoring equipment specified in paragraph (b) of this section in order to demonstrate continued compliance with the provisions of this

subpart. All monitoring equipment shall be installed, calibrated, maintained, and operated according to manufacturer's specifications or other written procedures that provide adequate assurance that the equipment would reasonably be expected to monitor accurately.

(1) This monitoring equipment shall be in operation at all times when organic HAP emissions that are required to be controlled as part of complying with the emission limits specified in §§ 63.1404, 63.1405, 63.1406, 63.1407, and 63.1408 are vented to the control device.

(2) For control devices controlling less than 1 ton per year of uncontrolled organic HAP emissions, monitoring shall consist of a daily verification that the control device is operating properly. If the control device is used to control batch process vents alone or in combination with other emission points, the verification may be on a per batch cycle basis. This verification shall include, but not be limited to, a daily or per batch demonstration that the control device is working as designed. The procedure for this demonstration shall be submitted for review and approval as part of the Precompliance Report, as required by § 63.1417(d)(10).

(3) Nothing in this section shall be construed to allow a monitoring parameter excursion caused by an activity that violates other applicable provisions of subpart A, F, or G of this part.

(b) *Monitoring equipment.* The monitoring equipment specified in paragraphs (b)(1) through (8) of this section shall be installed as specified in paragraph (a) of this section. The parameters to be monitored are specified in Table 3 of this subpart.

(1) Where a scrubber is used, the following monitoring equipment is required.

(i) A pH monitoring device equipped with a continuous recorder to monitor the pH of the scrubber effluent.

(ii) A flow measurement device equipped with a continuous recorder shall be located at the scrubber influent for liquid flow. Gas stream flow shall be determined using one of the following procedures:

(A) The owner or operator may determine gas stream flow using the design blower capacity with appropriate adjustments for pressure drop.

(B) If the scrubber is subject to regulations in 40 CFR parts 264 through 266 that required a determination of the liquid to gas (L/G) ratio prior to the applicable compliance date for this subpart, the owner or operator may determine gas stream flow by the method that had been utilized to comply with those regulations. A determination that was conducted prior to the compliance date for this subpart may be utilized to comply with this subpart if it is still representative.

(C) The owner or operator may prepare and implement a gas stream flow determination plan that documents an appropriate method which will be used to determine the gas stream flow. The plan shall require determination of gas stream flow by a method which will at least provide a value for either a representative or the highest gas stream flow anticipated in the scrubber during representative operating conditions other than malfunctions. The plan shall include a description of the methodology to be followed and an explanation of how the selected methodology will reliably determine the gas stream flow, and a description of the records that will be maintained to document the determination of gas stream flow. The owner or operator shall maintain the plan as specified in § 63.1416(a).

(2) Where an absorber is used, a scrubbing liquid temperature monitoring device and a specific gravity monitoring device are required, each equipped with a continuous recorder.

(3) Where a condenser is used, a condenser exit temperature (product side) monitoring device equipped with a continuous recorder is required.

(4) Where a carbon adsorber is used, an integrating regeneration steam flow or nitrogen flow, or pressure monitoring device having an accuracy of  $\pm 10$  percent of the flow rate, level, or pressure, or better, capable of recording the total regeneration steam flow or nitrogen flow, or pressure (gauge or absolute) for each regeneration cycle; and a carbon bed temperature monitoring device, capable of recording the carbon

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bed temperature after each regeneration and within 15 minutes of completing any cooling cycle are required.

(5) Where an incinerator is used, a temperature monitoring device equipped with a continuous recorder is required.

(i) Where an incinerator other than a catalytic incinerator is used, the temperature monitoring device shall be installed in the firebox or in the ductwork immediately downstream of the firebox in a position before any substantial heat exchange occurs.

(ii) Where a catalytic incinerator is used, temperature monitoring devices shall be installed in the gas stream immediately before and after the catalyst bed.

(6) Where a flare is used, a device (including but not limited to a thermocouple, ultra-violet beam sensor, or infrared sensor) capable of continuously detecting the presence of a pilot flame is required.

(7) Where a boiler or process heater of less than 44 megawatts design heat input capacity is used, a temperature monitoring device in the firebox equipped with a continuous recorder is required. Any boiler or process heater in which all vent streams are introduced with the primary fuel or are used as the primary fuel is exempt from this requirement.

(8) As an alternate to paragraphs (b)(1) through (7) of this section, the owner or operator may install an organic monitoring device equipped with a continuous recorder. Said organic monitoring device shall meet the requirements of Performance Specification 8 or 9 of 40 CFR part 60, appendix B, and shall be installed, calibrated, and maintained according to § 63.6.

(c) *Alternative monitoring parameters.* An owner or operator may request approval to monitor parameters other than those specified in Table 3 of this subpart. The request shall be submitted according to the procedures specified in § 63.1417(j). Approval shall be requested if the owner or operator:

(1) Uses a control device or control technology other than those included in paragraph (b) of this section; or

(2) Uses one of the control devices included in paragraph (b) of this section, but seeks to monitor a parameter other

than those specified in Table 3 of this subpart.

(d) *Monitoring of bypass lines.* Owners or operators using a vent system that contains bypass lines that could divert emissions away from a control device or control technology used to comply with the provisions of this subpart shall comply with either paragraph (d)(1) or (2) of this section. Equipment such as low leg drains, high point bleeds, analyzer vents, open-ended valves or lines, and pressure relief valves needed for safety purposes are not subject to this paragraph.

(1) Properly install, maintain, and operate a flow indicator that takes a reading at least once every 15 minutes. Records shall be generated as specified in § 63.1416(d)(3). The flow indicator shall be installed at the entrance to any bypass line that could divert emissions away from the control device or control technology and to the atmosphere; or

(2) Secure the bypass line damper or valve in the non-diverting position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the damper or valve is maintained in the non-diverting position and emissions are not diverted through the bypass line. Records shall be generated as specified in § 63.1416(d)(3).

(e) *Monitoring for the alternative standards.* For control devices that are used to comply with the provisions of § 63.1404(b), § 63.1405(c), § 63.1406(b), § 63.1407(b), or § 63.1408(b) the owner or operator shall conduct continuous monitoring of the outlet organic HAP concentration whenever emissions are vented to the control device. Continuous monitoring of outlet organic HAP concentration shall be accomplished using an FTIR instrument following Method PS-15 of 40 CFR part 60, appendix B. The owner or operator shall calculate a daily average outlet organic HAP concentration.

[65 FR 3290, Jan. 20, 2000, as amended at 79 FR 60932, Oct. 8, 2014; 83 FR 51856, Oct. 15, 2018]



**§ 63.1416 Recordkeeping requirements.**

(a) *Data retention.* Unless otherwise specified in this subpart, each owner or operator of an affected source shall keep copies of all applicable records and reports required by this subpart for at least 5 years, as specified in paragraph (a)(1) of this section, with the exception listed in paragraph (a)(2) of this section.

(1) All applicable records shall be maintained in such a manner that they can be readily accessed. The most recent 6 months of records shall be retained on site or shall be accessible from a central location by computer or other means that provides access within 2 hours after a request. The remaining 4 and one-half years of records may be retained offsite. Records may be maintained in hard copy or computer-readable form including, but not limited to, on paper, microfilm, computer, floppy disk, CD-ROM, optical disc, magnetic tape, or microfiche.

(2) If an owner or operator submits copies of reports to the appropriate EPA Regional Office, the owner or operator is not required to maintain copies of reports. If the EPA Regional Office has waived the requirement of § 63.10(a)(4)(ii) for submittal of copies of reports, the owner or operator is not required to maintain copies of those reports.

(b) *Malfunction records.* Records shall be kept as specified in paragraphs (b)(1) through (3) of this section.

(1) In the event that an affected unit fails to meet an applicable standard, record the number of failures. For each failure record the date, time, and duration of each failure.

(2) For each failure to meet an applicable standard, record and retain a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions.

(3) Record actions taken to minimize emissions in accordance with § 63.1420(h)(4), and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(c) *Monitoring records.* Owners or operators required to comply with § 63.1415 and, therefore, required to

keep continuous records shall keep records as specified in paragraphs (c)(1) through (6) of this section.

(1) The owner or operator shall record either each measured data value or average values for 1 hour or shorter periods calculated from all measured data values during each period. If values are measured more frequently than once per minute, a single value for each minute may be used to calculate the hourly (or shorter period) average instead of all measured values. Owners or operators of batch process vents shall record each measured data value; if values are measured more frequently than once per minute, a single value for each minute may be recorded instead of all measured values.

(2) Daily average, batch cycle daily average, or block average values of each continuously monitored parameter shall be calculated for each operating day as specified in paragraphs (c)(2)(i) and (ii) of this section, except as specified in paragraphs (c)(3) and (4) of this section. The option of conducting parameter monitoring for batch process vents on a batch cycle daily average basis or a block average basis is described in paragraph (d)(2) of this section.

(i) The daily average value, batch cycle daily average, or block average shall be calculated as the average of all parameter values recorded during the operating day, or batch cycle, as appropriate, except as specified in paragraph (c)(4) of this section. For batch process vents, only parameter values recorded during those batch emission episodes, or portions thereof, in the batch cycle that the owner or operator has selected to control in order to comply shall be used to calculate the average. The calculated average shall cover a 24-hour period if operation is continuous, or the number of hours of operation per operating day if operation is not continuous for daily average values or batch cycle daily average values. The calculated average shall cover the entire period of the batch cycle for block average values. As specified in § 63.1413(a)(4)(i)(C)(3), the owner or operator shall provide the information needed to calculate batch cycle daily averages for operating days that include partial batch cycles.

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(ii) The operating day shall be the period the owner or operator specifies in the operating permit or the Notification of Compliance Status for purposes of determining daily average values or batch cycle daily average values of monitored parameters. The block shall be the entire period of the batch cycle, as specified by the owner or operator in the operating permit or the Notification of Compliance Status for purposes of determining block average values of monitored parameters.

(3) If all recorded values for a monitored parameter during an operating day or block are above the minimum level or below the maximum level established in the Notification of Compliance Status or operating permit, the owner or operator may record that all values were above the minimum level or below the maximum level rather than calculating and recording a daily average, or block average, for that operating day. For these operating days or blocks, the records required in paragraph (c)(1) of this section shall also be retained for 5 years.

(4) Monitoring data recorded during periods identified in paragraphs (c)(4)(i) and (ii) of this section shall not be included in any average computed under this subpart. Records shall be kept of the times and durations of all such periods and any other periods during process or control device or recovery device or control technology operation when monitors are not operating:

(i) Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments; and

(ii) Periods of non-operation of the affected source (or portion thereof) resulting in cessation of the emissions to which the monitoring applies.

(5) The owner or operator who has received approval to monitor different parameters, under § 63.1417(j) as allowed under § 63.1415(e), than those specified for storage vessels, continuous process vents, or batch process vents shall retain for a period of 5 years each record specified in their approved Alternative Monitoring Parameters request.

(6) The owner or operator who has received approval to use alternative continuous monitoring and recordkeeping provisions as specified in § 63.1417(k)

shall retain for a period of 5 years each record specified in their approved Alternative Continuous Monitoring request.

(d) *Batch process vent records*—(1) *Compliance demonstration records*. Each owner or operator of a batch process vent complying with § 63.1406 or § 63.1407 shall keep the following records, as applicable, readily accessible.

(i) If a batch process vent is seeking to demonstrate compliance with the alternative standard specified in § 63.1406(b) or § 63.1407(b), results of the initial compliance demonstration specified in § 63.1413(f).

(ii) If a batch process vent is seeking to demonstrate compliance with the percent reduction requirements of § 63.1406(a)(1)(ii) or § 63.1407(a)(2)(ii), records documenting the batch cycle percent reduction or overall percent reduction, as appropriate, as specified in § 63.1413(e)(1)(iii).

(iii) When using a flare to comply with § 63.1406(a)(1)(i) or § 63.1407(a)(2)(i):

(A) The flare design (i.e., steam-assisted, air-assisted or non-assisted);

(B) All visible emission readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the compliance determination required by § 63.1413(g); and

(C) Periods when all pilot flames were absent during the compliance determination required by § 63.1413(g).

(iv) The following information when using a control device or control technology, other than a flare, to achieve compliance with the percent reduction requirement of § 63.1406(a)(1)(ii) or § 63.1407(a)(2)(ii):

(A) For an incinerator, non-combustion control device, or other control technology, the percent reduction of organic HAP achieved for emissions vented to the control device or control technology, as determined using the procedures specified in § 63.1413(e)(1);

(B) For a boiler or process heater, a description of the location at which the vent stream is introduced into the boiler or process heater; and

(C) For a boiler or process heater with a design heat input capacity of less than 44 megawatts and where the vent stream is not introduced with the primary fuel or used as the primary

fuel, the percent reduction of organic HAP achieved for emissions vented to the control device, as determined using the procedures specified in § 63.1413(e)(1).

(v) If a batch process vent is seeking to demonstrate compliance with the mass emission limits specified in § 63.1406(a)(1)(iii) or (a)(2)(iii) or specified in § 63.1407(b)(2), the following information:

(A) Results of the initial compliance demonstration specified in § 63.1413(e)(2).

(B) The organic HAP emissions from the batch process vent associated with each single type of batch cycle ( $E_{\text{cycle } i}$ ) determined as specified in § 63.1413(e)(2).

(C) The site-specific emission limit required by § 63.1413(e)(2), as appropriate.

(vi) If an owner or operator designates a condenser sometimes operated as a process condenser as a control device, comply with either paragraph (d)(1)(vi)(A) or (B) of this section.

(A) Retain information, data, analyses to document inprocess recycling of the material recovered when the condenser is operating as a control device.

(B) When requested by the Administrator, demonstrate that material recovered by the condenser operating as a control device is reused in a manner meeting the definition of inprocess recycling.

(2) *Establishment of parameter monitoring level records.* For each parameter monitored according to § 63.1415(b) and Table 3 of this subpart, or for alternate parameters and/or parameters for alternate control devices or control technologies monitored according to § 63.1417(j) as allowed under § 63.1415(e), maintain documentation showing the establishment of the level that indicates proper operation of the control device or control technology as required by § 63.1415(c) for parameters specified in § 63.1415(b) and as required by § 63.1417(j) for alternate parameters. An owner or operator may choose to monitor operating parameters for batch process vents on a batch cycle daily average basis or on a block average basis. The batch cycle daily aver-

age is based on parameter monitoring accomplished during the operating day (i.e., a 24-hour basis). The block average is based on the parameter monitoring accomplished during a single batch cycle. As defined in § 63.1402, the block shall be the period of time equal to a single batch cycle. Monitored parameter documentation shall include the following:

(i) Parameter monitoring data used to establish the level.

(ii) Identification that the parameter monitoring level is associated with a batch cycle daily average or a block average.

(iii) A definition of the batch cycle or block, as appropriate.

(3) *Controlled batch process vent continuous compliance records.* Continuous compliance records shall be kept as follows:

(i) Each owner or operator of a batch process vent that uses a control device or control technology to comply with the percent reduction requirements of § 63.1406(a)(1)(ii) or § 63.1407(a)(2)(ii) shall keep the following records, as applicable, readily accessible:

(A) Continuous records of the equipment operating parameters specified to be monitored under § 63.1415(b) as applicable, and listed in Table 3 of this subpart, or specified by the Administrator in accordance with § 63.1417(f) as allowed under § 63.1415(e). Said records shall be kept as specified under paragraph (c) of this section, except as follows:

(1) For carbon adsorbers, the records specified in Table 3 of this subpart shall be maintained in place of continuous records.

(2) For flares, the records specified in Table 4 of this subpart shall be maintained in place of continuous records.

(B) Records of the batch cycle daily average value or block average value of each continuously monitored parameter, as specified in paragraph (c) of this section.

(ii) Each owner or operator of a batch process vent that uses a control device or control technology to comply with § 63.1406 or § 63.1407 shall keep the following records, as applicable, readily accessible:

(A) Hourly records of whether the flow indicator for bypass lines specified

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in § 63.1415(d) was operating and whether a diversion was detected at any time during the hour. Also, records of the time and duration periods when the vent is diverted from the control device or control technology or the flow indicator specified in § 63.1415(d) is not operating.

(B) Where a seal or closure mechanism is used to comply with § 63.1415(d), hourly records of whether a diversion was detected at any time are not required. The owner or operator shall record whether the monthly visual inspection of the seals or closure mechanisms has been done and shall record the occurrence of all periods when the seal mechanism is broken, the bypass line damper or valve position has changed, or the key for a lock-and-key type configuration has been checked out, and records of any car-seal that has broken.

(C) Records specifying the times and duration of periods of monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments. In addition, records specifying any other periods of process or control device operation or control technology operation when monitors are not operating.

(iii) Each owner or operator of a batch process vent seeking to demonstrate compliance with the alternative standard, as specified in § 63.1406(b) or § 63.1407(b), shall keep the records of continuous emissions monitoring described in § 63.1416(c).

(iv) Each owner or operator of a batch process vent seeking to demonstrate compliance with the mass emission limits, specified in § 63.1406(a)(1)(iii) or (a)(2)(iii), shall keep the following records, as applicable, readily accessible.

(A) The cumulative average monthly emission rate or the 12-month rolling average monthly emission rate, as appropriate.

(B) If there is a deviation from the mass emission limit, as specified in § 63.1413(i), the individual monthly emission rate data points making up the cumulative average monthly emission rate or the 12-month rolling average monthly emission rate, as appropriate.

(C) If it becomes necessary to re-determine ( $E_{\text{cycle } i}$ ) for a reactor batch process vent, as specified in § 63.1413(e)(2), the new value(s) for ( $E_{\text{cycle } i}$ ).

(D) If an owner or operator is demonstrating compliance using the procedures in § 63.1413(e)(2), the monthly value of the site-specific emission limit developed under § 63.1413(e)(2).

(e) *Aggregate batch vent stream records*—(1) *Compliance demonstration records*. Each owner or operator of an aggregate batch vent stream complying with § 63.1408(a)(1) or (2) shall keep the following records, as applicable, readily accessible:

(i) If an aggregate batch vent stream is in compliance with the percent reduction requirements of § 63.1408(a)(1)(ii) or (a)(2)(ii), owners or operators shall comply with the record-keeping requirements for continuous process vents specified in 40 CFR part 63, subpart SS.

(ii) If an aggregate batch vent stream is in compliance with the alternative standard specified in § 63.1408(b), results of the initial compliance demonstration specified in § 63.1413(f).

(iii) When using a flare to comply with § 63.1408(a)(1)(i) or (a)(2)(i):

(A) The flare design (i.e., steam-assisted, air-assisted or non-assisted).

(B) All visible emission readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the compliance determination required by § 63.1413(g).

(C) Periods when all pilot flames were absent during the compliance determination required by § 63.1413(g).

(iv) If an aggregate batch vent stream is seeking to comply with the mass emission limits specified in § 63.1408(b)(2), results of the initial compliance demonstration specified in § 63.1413(e)(2). In addition, for each batch process vent, the emissions associated with each single type of batch cycle ( $E_{\text{cycle } i}$ ), determined as specified in § 63.1413(e)(2), shall be recorded.

(2) *Establishment of parameter monitoring level records*. For each parameter monitored according to § 63.1415(b) and Table 3 of this subpart, or for alternate parameters and/or parameters for alternate control devices monitored according to § 63.1417(j) as allowed under

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§ 63.1415(e), maintain documentation showing the establishment of the level that indicates proper operation of the control device as required by § 63.1415(c) for parameters specified in § 63.1415(b) and as required by § 63.1417(j) for alternate parameters. Monitored parameter documentation shall include the parameter monitoring data used to establish the level.

(3) *Controlled aggregate batch vent streams continuous compliance records.* The following continuous compliance records shall be kept, as applicable:

(i) Each owner or operator of an aggregate batch vent stream that uses a control device to comply with the percent reduction requirement of § 63.1408(a)(1)(ii) or (a)(2)(ii) shall keep the following records, as applicable, readily accessible:

(A) Continuous records of the equipment operating parameters specified to be monitored under § 63.1415(b) as applicable, and listed in Table 3 of this subpart, or specified by the Administrator in accordance with § 63.1417(j) as allowed under § 63.1415(e). Records shall be kept as specified under paragraph (c) of this section, except as follows:

(1) For carbon adsorbers, the records specified in Table 3 of this subpart shall be maintained in place of continuous records.

(2) For flares, the records specified in Table 3 of this subpart shall be maintained in place of continuous records.

(B) Records of the daily average value of each continuously monitored parameter, as specified in paragraph (c) of this section.

(ii) Each owner or operator of an aggregate batch vent stream that uses a control device to comply with paragraph § 63.1408(a)(1) or (2) of this section shall keep the following records, as applicable, readily accessible:

(A) Hourly records of whether the flow indicator for bypass lines specified in § 63.1415(d) was operating and whether a diversion was detected at any time during the hour. Also, records of the times and durations of periods when the vent is diverted from the control device or the flow indicator specified in § 63.1415(d) is not operating.

(B) Where a seal or closure mechanism is used to comply with § 63.1415(d), hourly records of whether a diversion

was detected at any time are not required. The owner or operator shall record whether the monthly visual inspection of the seals or closure mechanisms has been done, and shall record the occurrence of all periods when the seal mechanism is broken, the bypass line damper or valve position has changed, or the key for a lock-and-key type configuration has been checked out, and records of any car-seal that has broken.

(C) Records specifying the times and duration of periods of monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments. In addition, records specifying any other periods of process or control device operation when monitors are not operating.

(iii) Each owner or operator of an aggregate batch vent stream seeking to demonstrate compliance with the alternative standard, as specified in § 63.1408(b), shall keep the records of continuous emissions monitoring described in § 63.1416(c).

(iv) Each owner or operator of an aggregate batch vent stream seeking to demonstrate compliance with the mass emission limits, specified in § 63.1408(b)(2), shall keep the following records, as applicable, readily accessible:

(A) The rolling average monthly emission rate or the 12-month rolling average monthly emission rate, as appropriate.

(B) If there is a deviation from the emission limit, as specified in § 63.1413(i)(1), the individual monthly emission rate data points making up the rolling average monthly emission rate or the 12-month rolling average monthly emission rate, as appropriate.

(C) If it becomes necessary to re-determine ( $E_{\text{cyclei}}$ ) for a reactor batch process vent, as specified in § 63.1413(e)(2), the new value(s) for ( $E_{\text{cyclei}}$ ).

(f) *Continuous process vent records—(1) TRE index value records.* Each owner or operator of a continuous process vent at a new affected source shall maintain records of measurements, engineering assessments, and calculations performed according to the procedures of § 63.1412(j) to determine the TRE index value. Documentation of engineering

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assessments, described in § 63.1412(k), shall include all data, assumptions, and procedures used for the engineering assessments.

(2) *Volumetric flow rate records.* Each owner or operator of a continuous process vent shall record the volumetric flow rate as measured using the sampling site and volumetric flow rate determination procedures (if applicable) specified in § 63.1412(b) and (f) or determined through engineering assessment as specified in § 63.1412(k).

(3) *Organic HAP concentration records.* Each owner or operator shall record the organic HAP concentration as measured using the sampling site and organic HAP concentration determination procedures (if applicable) specified in § 63.1412(b) and (e), or determined through engineering assessment as specified in § 63.1412(k).

(4) *Process change records.* Each owner or operator of a continuous process vent shall keep up-to-date, readily accessible records of any process changes that change the control applicability for a continuous process vent. Records are to include any recalculation or measurement of the flow rate, organic HAP concentration, and TRE index value.

(5) If a continuous process vent is seeking to demonstrate compliance with the mass emission limit specified in § 63.1405(b)(2)(i), keep records specified in paragraphs (f)(5)(i) through (iii) of this section.

(i) The results of the initial compliance demonstration specified in § 63.1413(h)(1)(i).

(ii) Identification of the period of time that represents an operating day.

(iii) The daily organic HAP emissions from the continuous process vent determined as specified in § 63.1413(h)(3).

(6) If a continuous process vent is seeking to demonstrate compliance with the emission rate limits specified in § 63.1405(b)(2)(ii) or (iii), keep records specified in paragraphs (f)(6)(i) through (iii) of this section.

(i) The results of the initial compliance demonstration specified in § 63.1413(h)(2)(i).

(ii) Identification of the period of time that represents an operating day.

(iii) The average hourly organic HAP emissions from the continuous process

vent determined as specified in § 63.1413(h)(4).

(7) When using a flare to comply with § 63.1405(a)(1) or (b)(1), keep the records specified in paragraphs (f)(7)(i) through (f)(7)(iii) of this section.

(i) The flare design (i.e., steam-assisted, air-assisted or non-assisted);

(ii) All visible emission readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the compliance determination required by § 63.1413(g); and

(iii) Periods when all pilot flames were absent during the compliance determination required by § 63.1413(g).

(g) *Other records or documentation.* (1) For continuous monitoring systems used to comply with this subpart, owners or operators shall keep records documenting the completion of calibration checks and records documenting the maintenance of continuous monitoring systems that are specified in the manufacturer's instructions or that are specified in other written procedures that provide adequate assurance that the equipment would reasonably be expected to monitor accurately.

(2) The owner or operator of an affected source granted a waiver under § 63.10(f) shall maintain any information demonstrating whether an affected source is meeting the requirements for a waiver of recordkeeping or reporting requirements.

(3) Owners or operators using the exemption from the equipment leak provisions provided by § 63.1400(f) shall comply with either paragraph (g)(3)(i) or (ii) of this section.

(i) The owner or operator shall retain information, data, and analysis used to document the basis for using the exemption provided by § 63.1400(f). Such information, data, and analysis shall be retained for the 12-month period preceding December 14, 1998 and for each 12-month period the affected source is in operation and using the exemption provided by § 63.1400(f). The beginning of each 12-month period shall be the anniversary of December 14, 1998.

(ii) When requested by the Administrator, the owner or operator shall demonstrate that actual annual production is equal to or less than 800

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megagrams per year of amino/phenolic resin for the 12-month period preceding December 14, 1998, and for each 12-month period the affected source has been in operation and using the exemption provided by §63.1400(f). The beginning of each 12-month period shall be the anniversary of December 14, 1998.

(4) The owner or operator of a heat exchange system located at an affected source shall retain the following records:

(i) Monitoring data required by §63.1409 indicating a leak and the date when the leak was detected, and if demonstrated not to be a leak, the basis for that determination.

(ii) Records of any leaks detected by procedures subject to §63.1409(c)(2) and the date the leak was detected.

(iii) The dates of efforts to repair leaks.

(iv) The method or procedure used to confirm repair of a leak and the date repair was confirmed.

(5) For pressure relief devices in organic HAP service, keep records of the information specified in paragraphs (g)(5)(i) through (v) of this section, as applicable.

(i) A list of identification numbers for pressure relief devices that vent to a fuel gas system, process, drain system, or closed-vent system and control device, under the provisions in §63.1411(d).

(ii) A list of identification numbers for pressure relief devices subject to the provisions in §63.1411(a).

(iii) A list of identification numbers for pressure relief devices equipped with rupture disks, under the provisions in §63.1411(b)(2).

(iv) The dates and results of the monitoring following a pressure release for each pressure relief device subject to the provisions in §63.1411(a) and (b). The results shall include:

(A) The background level measured during each compliance test.

(B) The maximum instrument reading measured at each piece of equipment during each compliance test.

(v) For pressure relief devices in organic HAP service subject to §63.1411(c), keep records of each pressure release to the atmosphere, including the following information:

(A) The source, nature, and cause of the pressure release.

(B) The date, time, and duration of the pressure release.

(C) An estimate of the quantity of total HAP emitted during the pressure release and the calculations used for determining this quantity.

(D) The actions taken to prevent this pressure release.

(E) The measures adopted to prevent future such pressure releases.

(6) An owner or operator shall record, on a semiannual basis, the information specified in paragraphs (g)(6)(i) through (iii) of this section, as applicable, for those planned routine maintenance operations that would require the control device not to meet the requirements of §63.1404(a) or (b) of this subpart.

(i) A description of the planned routine maintenance that is anticipated to be performed for the control device during the next 6 months. This description shall include the type of maintenance necessary, planned frequency of maintenance, and lengths of maintenance periods.

(ii) A description of the planned routine maintenance that was performed for the control device during the previous 6 months. This description shall include the type of maintenance performed and the total number of hours during these 6 months that the control device did not meet the requirement of §63.1404 (a) or (b) of this subpart, as applicable, due to planned routine maintenance.

(iii) For each storage vessel for which planned routine maintenance was performed during the previous 6 months, record the height of the liquid in the storage vessel at the time the control device is bypassed to conduct the planned routine maintenance and at the time the control device is placed back in service after completing the routine maintenance. These records shall include the date and time the liquid height was measured.

(h) *Reduced recordkeeping program.* For any parameter with respect to any item of equipment, the owner or operator may implement the recordkeeping requirements specified in paragraph (h)(1) or (2) of this section as alternatives to the provisions specified in

this subpart for storage vessels, continuous process vents, batch process vents, or aggregate batch vent streams. The owner or operator shall retain for a period of 5 years each record required by paragraph (h)(1) or (2) of this section.

(1) The owner or operator may retain only the daily average, batch cycle daily average, or block average value, and is not required to retain more frequent values, for a parameter with respect to an item of equipment, if the requirements of paragraphs (h)(1)(i) through (vi) of this section are met. An owner or operator electing to comply with the requirements of paragraph (h)(1) of this section shall notify the Administrator in the Notification of Compliance Status Report required under § 63.1417(e) or, if the Notification of Compliance Status has already been submitted, in the Periodic Report immediately preceding implementation of the requirements of this paragraph as specified in § 63.1417(f)(10).

(i) The monitoring system is capable of detecting unrealistic or impossible data during periods of operation (e.g., a temperature reading of  $-200^{\circ}\text{C}$  on a boiler) and will alert the operator by alarm or other means. The owner or operator shall record the occurrence. All instances of the alarm or other alert in an operating day or block constitute a single occurrence.

(ii) The monitoring system generates, updated at least hourly throughout each operating day, a running average of the parameter values that have been obtained during that operating day or block, and the capability to observe this running average is readily available on-site to the Administrator during the operating day. The owner or operator shall record the occurrence of any period meeting the criteria in paragraphs (h)(1)(ii)(A) and (B) of this section. All instances in an operating day or block constitute a single occurrence:

(A) The running average is above the maximum or below the minimum established limits; and

(B) The running average is based on at least six 1-hour average values.

(iii) The monitoring system is capable of detecting unchanging data during periods of operation, except in cir-

cumstances where the presence of unchanging data is the expected operating condition based on past experience (e.g., pH in some scrubbers) and will alert the operator by alarm or other means. The owner or operator shall record the occurrence. All instances of the alarm or other alert in an operating day or block constitute a single occurrence.

(iv) The monitoring system will alert the owner or operator by an alarm or other means if the running average parameter value calculated under paragraph (h)(1)(ii) of this section reaches a set point that is appropriately related to the established limit for the parameter that is being monitored.

(v) The owner or operator shall verify the proper functioning of the monitoring system, including its ability to comply with the requirements of paragraphs (h)(1)(i) through (iv) of this section, at the times specified in paragraphs (h)(1)(v)(A) through (C). The owner or operator shall document that the required verifications occurred.

(A) Upon initial installation.

(B) Annually after initial installation.

(C) After any change to the programming or equipment constituting the monitoring system which might reasonably be expected to alter the monitoring system's ability to comply with the requirements of this section.

(vi) The owner or operator shall retain the records identified in paragraphs (h)(1)(vi)(A) through (D) of this section.

(A) Identification of each parameter for each item of equipment for which the owner or operator has elected to comply with the requirements of paragraph (h)(1) of this section.

(B) A description of the applicable monitoring system(s) and how compliance will be achieved with each requirement of paragraphs (h)(1)(i) through (v) of this section. The description shall identify the location and format (e.g., on-line storage, log entries) for each required record. If the description changes, the owner or operator shall retain, as provided in paragraph (a) of this section, except as provided in paragraph (h)(1)(vi)(D) of this section, both the current and the most recent superseded description.



(C) A description and the date of any change to the monitoring system that would reasonably be expected to impair its ability to comply with the requirements of paragraph (h) of this section.

(D) Owners and operators subject to paragraph (h)(1)(vi)(B) of this section shall retain the current description of the monitoring system as long as the description is current. The current description shall, at all times, be retained on-site or be accessible from a central location by computer or other means that provides access within 2 hours after a request. The owner or operator shall retain all superseded descriptions for at least 5 years after the date of their creation. Superseded descriptions shall be retained on-site (or accessible from a central location by computer or other means that provides access within 2 hours after a request) for at least 6 months after their creation. Thereafter, superseded descriptions may be stored off-site.

(2) If an owner or operator has elected to implement the requirements of paragraph (h)(1) of this section for a parameter with respect to an item of equipment and a period of 6 consecutive months has passed without any deviation as defined in paragraph (h)(2)(iv) of this section, the owner or operator is no longer required to record the daily average, batch cycle daily average, or block average value for any operating day when the daily average, batch cycle daily average, or block average value is less than the maximum or greater than the minimum established limit. With approval by the Administrator, monitoring data generated prior to the compliance date of this subpart shall be credited toward the period of 6 consecutive months if the parameter limit and the monitoring accomplished during the period prior to the compliance date were required and/or approved by the Administrator.

(i) If the owner or operator elects not to retain the daily average, batch cycle daily average, or block average values, the owner or operator shall notify the Administrator in the next Periodic Report as specified in § 63.1417(f)(11). The notification shall identify the parameter and unit of equipment.

(ii) If, on any operating day or during any block after the owner or operator has ceased recording the daily average, batch cycle daily average, or block average values as provided in paragraph (h)(2) of this section, there is a deviation as defined in paragraph (h)(2)(iv) of this section, the owner or operator shall immediately resume retaining the daily average, batch cycle daily average, or block average value for each operating day and shall notify the Administrator in the next Periodic Report. The owner or operator shall continue to retain each daily average, batch cycle daily average, or block average value until another period of 6 consecutive months has passed without a deviation as defined in paragraph (h)(2)(iv) of this section.

(iii) The owner or operator shall retain the records specified in paragraphs (h)(1)(i) through (iv) of this section for the duration specified in paragraph (h) of this section. For any calendar week, if compliance with paragraphs (h)(1)(i) through (iv) of this section does not result in retention of a record of at least one occurrence or measured parameter value, the owner or operator shall record and retain at least one value during a period of operation.

(iv) For purposes of paragraph (h)(2) of this section, a deviation means that the daily average, batch cycle daily average, or block average value of monitoring data for a parameter is greater than the maximum, or less than the minimum established value.

[65 FR 3290, Jan. 20, 2000, as amended at 71 FR 20461, Apr. 20, 2006; 79 FR 60932, Oct. 8, 2014; 83 FR 51856, Oct. 15, 2018]

#### § 63.1417 Reporting requirements.

(a) *Reporting and notification.* In addition to the reports and notifications required by subpart A of this part as specified in Table 1 of this subpart, the owner or operator of an affected source shall prepare and submit the reports listed in paragraphs (d) through (i) of this section as applicable. All reports required by this subpart and the schedule for their submittal are listed in Table 5 of this subpart.

(b) *General.* Owners and operators are required to meet the reporting requirements of this subpart unless they can

demonstrate that failure to submit information required to be included in a specified report was due to the circumstances described in paragraphs (b)(1) through (3) of this section. Examples of circumstances where this paragraph may apply include information related to newly-added equipment or emission points, changes in the process, changes in equipment required or utilized for compliance with the requirements of this subpart, or changes in methods or equipment for monitoring, recordkeeping, or reporting.

(1) The information was not known in time for inclusion in the report specified by this subpart.

(2) The owner or operator has been diligent in obtaining the information.

(3) The owner or operator submits a report according to the provisions of paragraphs (b)(3)(i) through (iii) of this section, as appropriate.

(i) If this subpart expressly provides for supplements to the report in which the information is required, the owner or operator shall submit the information as a supplement to that report. The information shall be submitted no later than 60 days after it is obtained, unless otherwise specified in this subpart.

(ii) If this subpart does not expressly provide for supplements, but the owner or operator must submit a request for revision of an operating permit pursuant to 40 CFR part 70 or part 71 due to circumstances to which the information pertains, the owner or operator shall submit the information with the request for revision to the operating permit.

(iii) In any case not addressed by paragraph (b)(3)(i) or paragraph (b)(3)(ii) of this section, the owner or operator shall submit the information with the first Periodic Report, as required by this subpart, which has a submission deadline at least 60 days after the information is obtained.

(c) *Submittals.* All reports required under this subpart shall be sent to the Administrator at the appropriate address listed in § 63.13. If acceptable to both the Administrator and the owner or operator of an affected source, reports may be submitted on electronic media.

(d) *Precompliance Report.* Owners or operators of affected sources requesting an extension for compliance; requesting approval to use alternative monitoring parameters, alternative continuous monitoring and recordkeeping, or alternative controls; requesting approval to use engineering assessment to estimate organic HAP emissions from a batch emissions episode as described in § 63.1414(d)(6)(i)(C); wishing to establish parameter monitoring levels according to the procedures contained in § 63.1413(a)(4)(ii); establishing parameter monitoring levels based on a design evaluation as specified in § 63.1413(a)(3); or following the procedures in § 63.1413(e)(2); or following the procedures in § 63.1413(h)(3), shall submit a Precompliance Report according to the schedule described in paragraph (d)(1) of this section. The Precompliance Report shall contain the information specified in paragraphs (d)(2) through (11) of this section, as appropriate.

(1) The Precompliance Report shall be submitted to the Administrator no later than 12 months prior to the compliance date. Unless the Administrator objects to a request submitted in the Precompliance Report within 45 days after its receipt, the request shall be deemed approved. For new affected sources, the Precompliance Report shall be submitted to the Administrator with the application for approval of construction or reconstruction required by § 63.5(d), as specified on Table 1 of this subpart. Supplements to the Precompliance Report may be submitted as specified in paragraph (d)(11) of this section.

(2) A request for an extension for compliance, as specified in § 63.1401(d), may be submitted in the Precompliance Report. The request for a compliance extension will include the data outlined in § 63.6(i)(6)(i)(A), (B), and (D), as required in § 63.1401(d)(1).

(3) The alternative monitoring parameter information required in paragraph (j) of this section shall be submitted in the Precompliance Report if, for any emission point, the owner or operator of an affected source seeks to comply through the use of a control technique other than those for which monitoring parameters are specified in

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this subpart or seeks to comply by monitoring a different parameter than those specified in this subpart.

(4) If the affected source seeks to comply using alternative continuous monitoring and recordkeeping as specified in paragraph (k) of this section, the owner or operator shall submit the information requested in paragraph (d)(4)(i) or (ii) of this section in the Precompliance Report:

(i) The owner or operator shall submit notification of the intent to use the provisions specified in paragraph (k) of this section; or

(ii) The owner or operator shall submit a request for approval to use alternative continuous monitoring and recordkeeping provisions as specified in paragraph (k) of this section.

(5) The owner or operator shall report the intent to use alternative controls to comply with the provisions of this subpart in the Precompliance Report. The Administrator may deem the alternative controls to be equivalent to the controls required by the standard under the procedures outlined in § 63.6(g).

(6) If a request for approval to use engineering assessment to estimate organic HAP emissions from a batch emissions episode, as specified in § 63.1414(d)(6)(i)(C), is being made, the information required by § 63.1414(d)(6)(iii)(B) shall be submitted in the Precompliance Report.

(7) If an owner or operator elects to establish parameter monitoring levels according to the procedures contained in § 63.1413(a)(4)(ii), or will be establishing parameter monitoring levels based on a design evaluation as specified in § 63.1413(a)(3), the following information shall be submitted in the Precompliance Report:

(i) Identification of which procedures (i.e., § 63.1413(a)(1)(i) or (ii)) are to be used; and

(ii) A description of how the parameter monitoring level is to be established. If the procedures in § 63.1413(a)(4)(ii) are to be used, a description of how performance test data will be used shall be included.

(8) If an owner or operator is complying with the mass emission limit specified in § 63.1405(b)(2)(i), the sample of production records specified in

§ 63.1413(h)(3) shall be submitted in the Precompliance Report.

(9) If an owner or operator is complying with the mass emission limit specified in § 63.1406(a)(1)(iii) or (a)(2)(iii), § 63.1407(b)(2), or § 63.1408(b)(2), the sample of production records specified in § 63.1413(e)(2) shall be submitted in the Precompliance Report.

(10) The procedure for a control device controlling less than 1 ton per year of uncontrolled organic HAP emissions shall be submitted, as specified in § 63.1415(a)(2). Such a procedure shall meet the requirements specified in § 63.1415(a)(2).

(11) Supplements to the Precompliance Report may be submitted as specified in paragraph (d)(11)(i) or (ii) of this section. Unless the Administrator objects to a request submitted in a supplement to the Precompliance Report within 45 days after its receipt, the request shall be deemed approved.

(i) Supplements to the Precompliance Report may be submitted to clarify or modify information previously submitted.

(ii) Supplements to the Precompliance Report may be submitted to request approval to use alternative monitoring parameters, as specified in paragraph (j) of this section; to use alternative continuous monitoring and recordkeeping, as specified in paragraph (k) of this section; to use alternative controls, as specified in paragraph (d)(5) of this section; to use engineering assessment to estimate organic HAP emissions from a batch emissions episode, as specified in paragraph (d)(6) of this section; or to establish parameter monitoring levels according to the procedures contained in § 63.1413(a)(4)(ii) or (a)(3), as specified in paragraph (d)(7) of this section.

(e) *Notification of Compliance Status.* For existing and new affected sources, a Notification of Compliance Status shall be submitted within 150 days after the compliance dates specified in § 63.1401. For equipment leaks, the Notification of Compliance Status shall contain the information specified in 40 CFR part 63, subpart UU. For storage vessels, continuous process vents, batch process vents, and aggregate

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batch vent streams, the Notification of Compliance Status shall contain the information listed in paragraphs (e)(1) through (9) of this section. For pressure relief devices subject to the requirements of § 63.1411(c), the owner or operator shall also submit the information listed in paragraph (e)(10) of this section in a supplement to the Notification of Compliance Status within 150 days after the first applicable compliance date for pressure relief device monitoring.

(1) The results of any emission point applicability determinations, performance tests, design evaluations, inspections, continuous monitoring system performance evaluations, any other information used to demonstrate compliance, and any other information, as appropriate, required to be included in the Notification of Compliance Status under 40 CFR part 63, subpart WW and subpart SS, as referred to in § 63.1404 for storage vessels; under 40 CFR part 63, subpart SS, as referred to in § 63.1405 for continuous process vents; under § 63.1416(f)(1) through (3), (f)(5)(i) and (ii), and (f)(6)(i) and (ii) for continuous process vents; under § 63.1416(d)(1) for batch process vents; and under § 63.1416(e)(1) for aggregate batch vent streams. In addition, each owner or operator shall comply with paragraphs (e)(1)(i) and (ii) of this section.

(i) For performance tests, applicability determinations, and estimates of organic HAP emissions that are based on measurements, the Notification of Compliance Status shall include one complete test report, as described in paragraph (e)(1)(ii) of this section, for each test method used for a particular kind of emission point. For additional tests performed for the same kind of emission point using the same method, the results and any other required information 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.

(2) For each monitored parameter for which a maximum or minimum level is required to be established, the Notification of Compliance Status shall contain the information specified in paragraphs (e)(2)(i) through (iv) of this section, unless this information has been established and provided in the operating permit.

(i) The required information shall include the specific maximum or minimum level of the monitored parameter(s) for each emission point.

(ii) The required information shall include the rationale for the specific maximum or minimum level for each parameter for each emission point, including any data and calculations used to develop the level and a description of why the level indicates proper operation of the control device or control technology.

(iii) The required information shall include a definition of the affected source's operating day, as specified in § 63.1416(c)(2)(ii), for purposes of determining daily average values or batch cycle daily average values of monitored parameters. The required information shall include a definition of the affected source's block(s), as specified in § 63.1416(c)(2)(ii), for purposes of determining block average values of monitored parameters.

(iv) For batch process vents, the required information shall include a definition of each batch cycle that requires the control of one or more batch emission episodes during the cycle, as specified in §§ 63.1413(e)(1)(iii) and 63.1416(c)(2)(ii).

(3) When the determination of applicability for process units, as made following the procedures in § 63.1400(g), indicates that a process unit is an APPU, an identification of the APPU and a statement indicating that the APPU is an APPU that produces more than one intended product at the same time, as specified in § 63.1400(g)(1), or is a flexible operations process unit as specified in § 63.1400(g)(2) through (4).

(4) [Reserved]

(5) The results for each predominant use determination for storage vessels

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belonging to an affected source subject to this subpart that is made under § 63.1400(h)(6).

(6) Notification that the owner or operator has elected to comply with § 63.1416(h), Reduced Recordkeeping Program.

(7) Notification that an affected source is exempt from the equipment leak provisions of § 63.1410 according to the provisions of § 63.1400(f), and the affected source's actual annual production of amino/phenolic resins for the 12-month period preceding December 14, 1998.

(8) An owner or operator with a combustion device, recovery device, or recapture device affected by the situation described in § 63.1400(i)(5) shall identify which rule shall be complied with for monitoring, recordkeeping, and reporting requirements, as allowed under § 63.1400(i)(5).

(9) Data or other information used to demonstrate that an owner or operator may use engineering assessment to estimate emissions for a batch emission episode, as specified in § 63.1414(d)(6)(iii)(A).

(10) For pressure relief devices in organic HAP service, a description of the device or monitoring system to be implemented, including the pressure relief devices and process parameters to be monitored (if applicable), and a description of the alarms or other methods by which operators will be notified of a pressure release.

(f) *Periodic Reports.* Except as specified in paragraph (f)(12) of this section, a report containing the information in paragraph (f)(2) of this section or containing the information in paragraphs (f)(3) through (11) and (13) through (16) of this section, as appropriate, shall be submitted semiannually no later than 60 days after the end of each 180 day period. In addition, for equipment leaks subject to § 63.1410, the owner or operator shall submit the information specified in 40 CFR part 63, subpart UU, and for heat exchange systems subject to § 63.1409, the owner or operator shall submit the information specified in § 63.1409. Section 63.1415 shall govern the use of monitoring data to determine compliance for emissions points required to apply controls by the provisions of this subpart.

(1) Except as specified in paragraph (f)(12) of this section, a report containing the information in paragraph (f)(2) of this section or containing the information in paragraphs (f)(3) through (11) and (13) through (16) of this section, as appropriate, shall be submitted semiannually no later than 60 days after the end of each 180 day period. The first report shall be submitted no later than 240 days after the date the Notification of Compliance Status is due and shall cover the 6-month period beginning on the date the Notification of Compliance Status is due. Subsequent reports shall cover each preceding 6-month period.

(2) If none of the compliance exceptions specified in paragraphs (f)(3) through (11) and (13) through (16) of this section occurred during the 6-month period, the Periodic Report required by paragraph (f)(1) of this section shall be a statement that the affected source was in compliance for the preceding 6-month period and no activities specified in paragraphs (f)(3) through (11) and (13) through (16) of this section occurred during the preceding 6-month period.

(3) For an owner or operator of an affected source complying with the provisions of §§ 63.1404 through 63.1409 for any emission point, Periodic Reports shall include:

(i) All information specified in 40 CFR part 63, subpart WW and subpart SS for storage vessels; 40 CFR part 63, subpart SS for continuous process vents required to comply with subpart SS; § 63.1416(d)(3)(ii) for batch process vents; and § 63.1416(e) for aggregate batch vent stream.

(ii) The daily average values, batch cycle daily average values, or block average values of monitored parameters for deviations, as specified in § 63.1413(i), of operating parameters. In addition, the periods and duration of periods when monitoring data were not collected shall be specified.

(4) Notification if one or more emission point(s) or one or more APPU is added to an affected source. The owner or operator shall submit the following information:

(i) A description of the addition to the affected source;

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(ii) Notification of applicability status (i.e., does the emission point require control) of the additional emission point, if appropriate, or notification of all emission points in the added APPU.

(5) If there is a deviation from the mass emission limit specified in § 63.1406(a)(1)(iii) or (a)(2)(iii), § 63.1407(b)(2), or § 63.1408(b)(2), the following information, as appropriate, shall be included:

(i) The cumulative average monthly emission rate or the 12-month rolling average monthly emission rate, as appropriate.

(ii) The individual monthly emission rate data points making up the cumulative average monthly emission rate or the 12-month rolling average monthly emission rate, as appropriate.

(iii) If an owner or operator is demonstrating compliance using the procedures in § 63.1413(e)(2)(ii), the monthly value of the site-specific emission limit.

(6) If any performance tests are reported in a Periodic Report, the following information shall be included:

(i) One complete test report shall be submitted for each test method used for a particular kind of emission point tested. A complete test report shall contain the information specified in paragraph (e)(1)(ii) of this section.

(ii) For additional tests performed for the same kind of emission point using the same method, results and any other information required shall be submitted, but a complete test report is not required.

(7) The Periodic Report shall include the results for each change made to a primary product determination for amino/phenolic resins made under § 63.1400(g).

(8) The Periodic Report shall include the results for each change made to a predominant use determination for a storage vessel belonging to an affected source subject to this subpart that is made under § 63.1400(h)(6).

(9) If an owner or operator invokes the delay of repair provisions for a heat exchange system, the following information shall be submitted, as appropriate. If the leak remains unrepaired, the information shall also be submitted

in each subsequent periodic report until repair of the leak is reported.

(i) The presence of the leak and the date that the leak was detected.

(ii) Whether or not the leak has been repaired. If the leak is repaired, the date the leak was successfully repaired. If the leak remains unrepaired, the expected date of repair.

(iii) The reason(s) for delay of repair. If delay of repair is invoked due to the reasons described in § 63.1409(e)(2), documentation of emissions estimates shall be included.

(10) Notification that the owner or operator has elected to comply with § 63.1416(h), Reduced Recordkeeping Program.

(11) Notification that the owner or operator has elected to not retain the daily average, batch cycle daily average, or block average values, as appropriate, as specified in § 63.1416(h)(2)(i).

(12) The owner or operator of an affected source shall submit quarterly reports for particular emission points as specified in paragraphs (f)(12)(i) through (iv) of this section.

(i) The owner or operator of an affected source shall submit quarterly reports for a period of 1 year for an emission point if the Administrator requests the owner or operator to submit quarterly reports for the emission point.

(ii) The quarterly reports shall include all information specified in paragraphs (f)(3) through (11) and (13) through (16) of this section applicable to the emission point for which quarterly reporting is required under paragraph (f)(12)(i) of this section. Information applicable to other emission points within the affected source shall be submitted in the semiannual reports required under paragraph (f)(1) of this section.

(iii) Quarterly reports shall be submitted no later than 60 days after the end of each quarter.

(iv) After quarterly reports have been submitted for an emission point for 1 year, the owner or operator may return to semiannual reporting for the emission point unless the Administrator requests the owner or operator to continue to submit quarterly reports.

(13) For pressure relief devices, Periodic Reports must include the information specified in paragraphs (f)(13)(i) through (iii) of this section.

(i) For pressure relief devices in organic HAP service subject to § 63.1411, report confirmation that all monitoring to show compliance was conducted within the reporting period.

(ii) For pressure relief devices in organic HAP gas or vapor service subject to § 63.1411(b), report any instrument reading of 500 ppm above background or greater, more than 5 days after the relief device returns to organic HAP gas or vapor service after a pressure release.

(iii) For pressure relief devices in organic HAP service subject to § 63.1411(c), report each pressure release to the atmosphere, including the following information:

(A) The source, nature, and cause of the pressure release.

(B) The date, time, and duration of the pressure release.

(C) An estimate of the quantity of total HAP emitted during the pressure release and the method used for determining this quantity.

(D) The actions taken to prevent this pressure release.

(E) The measures adopted to prevent future such pressure releases.

(14) If there is a deviation from the mass emission limit specified in § 63.1405(b)(2)(i), the report shall include the daily average emission rate calculated for each operating day for which a deviation occurred.

(15) If there is a deviation from the emission rate limit specified in § 63.1405(b)(2)(ii) or (iii), the report shall include the following information for each operating day for which a deviation occurred:

(i) The calculated average hourly emission rate.

(ii) The individual hourly emission rate data points making up the average hourly emission rate.

(16) For periods of storage vessel routine maintenance in which a control device is bypassed, the owner or operator shall submit the information specified in § 63.1416(g)(6)(i) through (iii) of this subpart.

(g) *Reports of Malfunctions.* If a source fails to meet an applicable standard,

report such events in the Periodic Report. Report the number of failures to meet an applicable standard. For each instance, report the date, time and duration of each failure. For each failure the report must include a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions.

(h) *Other reports.* Other reports shall be submitted as specified in paragraphs (h)(1) through (8) of this section.

(1) For storage vessels, the notifications of inspections required by 40 CFR part 63, subpart WW shall be submitted.

(2) A site-specific test plan shall be submitted no later than 90 days before the planned date for a performance test. Unless the Administrator requests changes to the site-specific test plan within 45 days after its receipt, the site-specific test plan shall be deemed approved. The test plan shall include a description of the planned test and rationale for why the planned performance test will provide adequate and representative results for demonstrating the performance of the control device. If required by § 63.1413(e)(1) or § 63.1414(d)(5), the test plan shall include an emission profile and rationale for why the selected test period is representative.

(3) The owner or operator shall notify the Administrator of the intention to conduct a performance test at least 30 days before the performance test is scheduled in order to allow the Administrator the opportunity to have an observer present during the test. If after 30 days notice for an initially scheduled performance test, there is delay (due to operational problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected source shall notify the Administrator as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator by mutual agreement.

(4) When the conditions of § 63.1400(g)(7) or the conditions of § 63.1400(g)(8) are met, notification of

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changes to the primary product for an APPU or process unit shall be submitted. When a notification is made in response to a change in the primary product under § 63.1400(g)(7), rationale for why it is anticipated that no amino/phenolic resins will be produced in the process unit in the future shall be included.

(5) Owners or operators of APPU or emission points (other than equipment leak components subject to § 63.1410) that are added to the affected source under the provisions of § 63.1400(d)(2) or (3) or under the provisions of § 63.5(b)(6) shall submit reports as specified in paragraphs (h)(5)(i) through (ii) of this section.

(i) Reports shall include:

(A) A description of the process change or addition, as appropriate;

(B) The planned start-up date and the appropriate compliance date; and

(C) Identification of the emission points (except equipment leak components subject to § 63.1410) specified in paragraphs (h)(5)(i)(C)(1) through (3) of this section, as applicable.

(1) All the emission points in an added APPU.

(2) All the emission points in an affected source that becomes a new affected source.

(3) All the added or created emission points resulting from a process change.

(ii) If the owner or operator wishes to request approval to use alternative monitoring parameters, alternative continuous monitoring or record-keeping, alternative controls, engineering assessment to estimate organic HAP emissions from a batch emissions episode, or wishes to establish parameter monitoring levels according to the procedures contained in § 63.1413(a)(1)(ii) or (ii), a Precompliance Report shall be submitted no later than 180 days prior to the appropriate compliance date.

(6) The information specified in paragraphs (h)(6)(i) and (ii) of this section shall be submitted when a small control device becomes a large control device, as specified in § 63.1413(a)(1)(ii).

(i) Notification that a small control device has become a large control device and the site-specific test plan shall be submitted within 60 days of the date the small control device be-

comes a large control device. The site-specific test plan shall include the information specified in paragraph (h)(2) of this section. Approval of the site-specific test plan shall follow paragraph (h)(2) of this section.

(ii) Results of the performance test required by § 63.1413(a)(1)(ii) shall be submitted within 150 days of the date the small control device becomes a large control device.

(7) Whenever a continuous process vent becomes subject to control requirements under § 63.1405, as a result of a process change, the owner or operator shall submit a report within 60 days after the performance test or applicability assessment, whichever is sooner. The report may be submitted as part of the next Periodic Report required by paragraph (f) of this section.

(i) The report shall include the following information:

(A) A description of the process change;

(B) The results of the recalculation of the organic HAP concentration, volumetric flow rate, and or TRE index value required under § 63.1412 and recorded under § 63.1416(f).

(C) A statement that the owner or operator will comply with the requirements specified in § 63.1405.

(ii) If a performance test is required as a result of a process change, the owner or operator shall specify that the performance test has become necessary due to a process change. This specification shall be made in the performance test notification to the Administrator, as specified in paragraph (h)(3) of this section.

(iii) If a process change does not result in additional applicable requirements, then the owner or operator shall include a statement documenting this in the next Periodic Report required by paragraph (f) of this section.

(8) *Electronic reporting.* Within 60 days after the date of completing each performance test (as defined in § 63.2), the owner or operator must submit the results of the performance tests, including any associated fuel analyses, required by this subpart according to the methods specified in paragraphs (h)(8)(i) or (ii) of this section.



(i) For data collected using test methods supported by the EPA-provided software, the owner or operator shall submit the results of the performance test to the EPA by direct computer-to-computer electronic transfer via EPA-provided software, unless otherwise approved by the Administrator. Owners or operators, who claim that some of the information being submitted for performance tests is confidential business information (CBI), must submit a complete file using EPA-provided software that includes information claimed to be CBI on a compact disc, flash drive, or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: WebFIRE Administrator, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted must be submitted to the EPA by direct computer-to-computer electronic transfer via EPA-provided software.

(ii) For any performance test conducted using test methods that are not compatible with the EPA-provided software, the owner or operator shall submit the results of the performance test to the Administrator at the appropriate address listed in § 60.4.

(i) *Operating permit application.* An owner or operator who submits an operating permit application instead of a Precompliance Report shall submit the information specified in paragraph (d) of this section, Precompliance Report, as applicable.

(j) *Alternative monitoring parameters.* The owner or operator who has been directed by any section of this subpart or any section of another subpart referenced by this subpart that expressly referenced this paragraph (j) to set unique monitoring parameters, or who requests approval to monitor a different parameter than those specified in § 63.1415(b), shall submit the information specified in paragraphs (j)(1) through (3) of this section in the Precompliance Report, as required by paragraph (d) of this section.

(l) The required information shall include a description of the parameter(s) to be monitored to ensure the recovery device, control device, or control tech-

nology is operated in conformance with its design and achieves the specified emission limit or percent reduction and an explanation of the criteria used to select the parameter(s).

(2) The required information shall include a description of the methods and procedures that will be used to demonstrate that the parameter indicates proper operation, the schedule for this demonstration, and a statement that the owner or operator will establish a level for the monitored parameter as part of the Notification of Compliance Status report required in paragraph (e) of this section, unless this information has already been included in the operating permit application.

(3) The required information shall include a description of the proposed monitoring, recordkeeping, and reporting system to include the frequency and content of monitoring, recordkeeping, and reporting. Further, the rationale for the proposed monitoring, recordkeeping, and reporting system shall be included if either condition in paragraph (j)(3)(i) or (ii) of this section is met:

(i) If monitoring and recordkeeping is not continuous; or

(ii) If reports of daily average values will not be included in Periodic Reports when the monitored parameter value is above the maximum level or below the minimum level as established in the operating permit or the Notification of Compliance Status.

(k) *Alternative continuous monitoring.* An owner or operator choosing not to implement the monitoring provisions specified in § 63.1415 for storage vessels, continuous process vents, batch process vents, or aggregate batch vent streams may instead request approval to use alternative continuous monitoring provisions according to the procedures specified in paragraphs (k)(1) through (4) of this section. Requests shall be submitted in the Precompliance Report as specified in paragraph (d)(4) of this section if not already included in the operating permit application and shall contain the information specified in paragraphs (k)(2)(i) and (ii) of this section, as applicable.

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(1) The provisions in § 63.8(f)(5)(i) shall govern the review and approval of requests.

(2) An owner or operator of an affected source that does not have an automated monitoring and recording system capable of measuring parameter values at least once every 15 minutes and that does not generate continuous records may request approval to use a nonautomated system with less frequent monitoring in accordance with paragraphs (k)(2)(i) and (ii) of this section.

(i) The requested system shall include manual reading and recording of the value of the relevant operating parameter no less frequently than once per hour. Daily average (or batch cycle daily average) values shall be calculated from these hourly values and recorded.

(ii) The request shall contain:

(A) A description of the planned monitoring and recordkeeping system;

(B) Documentation that the affected source does not have an automated monitoring and recording system;

(C) Justification for requesting an alternative monitoring and recordkeeping system; and

(D) Demonstration to the Administrator's satisfaction that the proposed monitoring frequency is sufficient to represent control or recovery device operating conditions, considering typical variability of the specific process and control or recovery device operating parameter being monitored.

(3) An owner or operator may request approval to use an automated data compression recording system that does not record monitored operating parameter values at a set frequency (for example, once every 15 minutes) but records all values that meet set criteria for variation from previously recorded values, in accordance with paragraphs (k)(3)(i) and (ii) of this section.

(i) The requested system shall be designed to:

(A) Measure the operating parameter value at least once every 15 minutes;

(B) Except for the monitoring of batch process vents, calculate hourly average values each hour during periods of operation;

(C) Record the date and time when monitors are turned off or on;

(D) Recognize unchanging data that may indicate the monitor is not functioning properly, alert the operator, and record the incident;

(E) Calculate daily average, batch cycle daily average, or block average values of the monitored operating parameter based on all measured data; and

(F) If the daily average is not a deviation, as defined in § 63.1413(i), from the operating parameter, the data for that operating day may be converted to hourly average values, and the four or more individual records for each hour in the operating day may be discarded.

(ii) The request shall contain:

(A) A description of the monitoring system and data compression recording system, including the criteria used to determine which monitored values are recorded and retained;

(B) The method for calculating daily averages and batch cycle daily averages; and

(C) A demonstration that the system meets all criteria in paragraph (k)(3)(i) of this section.

(4) An owner or operator may request approval to use other alternative monitoring systems according to the procedures specified in § 63.8(f)(4).

[65 FR 3290, Jan. 20, 2000, as amended at 79 FR 60933, Oct. 8, 2014; 83 FR 51856, Oct. 15, 2018]

### § 63.1418 [Reserved]

### § 63.1419 Implementation and enforcement.

(a) This subpart can be implemented and enforced by the U.S. EPA, or a delegated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency

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under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§ 63.1400 through 63.1401 and 63.1404 through 63.1410. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. Where these standards reference another subpart

and modify the requirements, the requirements shall be modified as described in this subpart. Delegation of the modified requirements will also occur according to the delegation provisions of the referenced subpart.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under § 63.8(f), as defined in § 63.90, and as required in this subpart.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90, and as required in this subpart.

[68 FR 37359, June 23, 2003]

**TABLE 1 TO SUBPART OOO OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART OOO AFFECTED SOURCES**

Reference	Applies to subpart OOO	Explanation
63.1(a)(1) .....	Yes .....	§ 63.1402 specifies definitions in addition to or that supersede definitions in § 63.2.
63.1(a)(2) .....	Yes.	
63.1(a)(3) .....	Yes .....	§ 63.1401(i) identifies those standards which overlap with the requirements of subpart OOO of this part and specify how compliance shall be achieved.
63.1(a)(4) .....	Yes .....	Subpart OOO (this table) specifies the applicability of each paragraph in subpart A of this part.
63.1(a)(5) .....	No .....	[Reserved].
63.1(a)(6) .....	Yes.	
63.1(a)(7)–63.1(a)(9) .....	No .....	[Reserved].
63.1(a)(10) .....	Yes.	
63.1(a)(11) .....	Yes.	
63.1(a)(12)–63.1(a)(14) .....	Yes.	
63.1(b)(1) .....	No.	
63.1(b)(2) .....	Yes.	
63.1(b)(3) .....	No .....	§ 63.1400(e) provides documentation requirements for APPUs not considered affected sources.
63.1(c)(1) .....	Yes .....	Subpart OOO (this table) specifies the applicability of each paragraph in subpart A of this part.
63.1(c)(2) .....	No .....	Area sources are not subject to this subpart.
63.1(c)(3) .....	No .....	[Reserved].
63.1(c)(4) .....	No .....	[Reserved].
63.1(c)(5) .....	Yes .....	Except that affected sources are not required to submit notifications overridden by this table.
63.1(c)(6) .....	Yes.	
63.1(d) .....	No .....	[Reserved].
63.1(e) .....	Yes.	
63.2 .....	Yes .....	§ 63.1402 specifies the definitions from subpart A of this part that apply to this subpart.
63.3 .....	Yes.	
63.4(a)(1)–63.4(a)(3) .....	Yes.	
63.4(a)(4) .....	No .....	[Reserved].
63.4(a)(5) .....	Yes.	
63.4(b) .....	Yes.	
63.4(c) .....	Yes.	
63.5(a)(1) .....	Yes .....	Except the terms “source” and “stationary source” should be interpreted as having the same meaning as “affected source.”

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Reference	Applies to subpart OOO	Explanation
63.5(a)(2) .....	Yes.	
63.5(b)(1) .....	Yes .....	Except § 63.1400(d) specifies when construction or reconstruction is subject to new source standards.
63.5(b)(2) .....	No .....	[Reserved].
63.5(b)(3) .....	Yes.	
63.5(b)(4) .....	Yes .....	Except that the Initial Notification and § 63.9(b) requirements do not apply.
63.5(b)(5) .....	Yes.	
63.5(b)(6) .....	Yes .....	Except that § 63.1400(d) specifies when construction or reconstruction is subject to new source standards.
63.5(c) .....	No .....	[Reserved].
63.5(d)(1)(i) .....	Yes .....	Except that the references to the Initial Notification and § 63.9(b)(5) do not apply.
63.5(d)(1)(ii) .....	Yes .....	Except that § 63.5(d)(1)(ii)(H) does not apply.
63.5(d)(1)(iii) .....	No .....	§ 63.1417(e) specifies Notification of Compliance Status requirements.
63.5(d)(2) .....	No.	
63.5(d)(3) .....	Yes .....	Except § 63.5(d)(3)(ii) does not apply, and equipment leaks subject to § 63.1410 are exempt.
63.5(d)(4) .....	Yes.	
63.5(e) .....	Yes.	
63.5(f)(1) .....	Yes.	
63.5(f)(2) .....	Yes .....	Except that where § 63.9(b)(2) is referred to, the owner or operator need not comply.
63.6(a) .....	Yes.	
63.6(b)(1) .....	Yes.	
63.6(b)(2) .....	Yes.	
63.6(b)(3) .....	Yes.	
63.6(b)(4) .....	Yes.	
63.6(b)(5) .....	Yes.	
63.6(b)(6) .....	No .....	[Reserved].
63.6(b)(7) .....	No.	
63.6(c)(1) .....	Yes .....	Except that § 63.1401 specifies the compliance date.
63.6(c)(2) .....	No.	
63.6(c)(3) .....	No .....	[Reserved].
63.6(c)(4) .....	No .....	[Reserved].
63.6(c)(5) .....	Yes.	
63.6(d) .....	No .....	[Reserved].
63.6(e) .....	Yes .....	Except as otherwise specified in this table.
63.6(e)(1)(i) .....	No .....	See § 63.1400(k)(4) for general duty requirement.
63.6(e)(1)(ii) .....	No.	
63.6(e)(1)(iii) .....	Yes.	
63.6(e)(2) .....	Yes.	
63.6(e)(3) .....	No.	
63.6(f)(1) .....	No.	
63.6(f)(2) .....	Yes .....	Except § 63.7(c), as referred to in § 63.6(f)(2)(iii)(D), does not apply, and except that § 63.6(f)(2)(ii) does not apply to equipment leaks subject to § 63.1410.
63.6(f)(3) .....	Yes.	
63.6(g) .....	Yes.	
63.6(h) .....	No .....	This subpart OOO does not require opacity and visible emission standards.
63.6(i)(1) .....	Yes.	
63.6(i)(2) .....	Yes.	
63.6(i)(3) .....	Yes.	
63.6(i)(4)(i)(A) .....	Yes.	
63.6(i)(4)(i)(B) .....	No .....	Dates are specified in §§ 63.1401(e) and 63.1417(d)(1).
63.6(i)(4)(ii) .....	No.	
63.6(i)(5)–(14) .....	Yes.	
63.6(i)(15) .....	No .....	[Reserved].
63.6(i)(16) .....	Yes.	
63.6(j) .....	Yes.	
63.7(a)(1) .....	Yes.	

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Reference	Applies to subpart OOO	Explanation
63.7(a)(2)	No	§ 63.1417(e) specifies the submittal dates of performance test results for all emission points except equipment leaks; for equipment leaks, compliance demonstration results are reported in the Periodic Reports.
63.7(a)(3)	Yes.	
63.7(b)	No	§ 63.1417 specifies notification requirements.
63.7(c)	No.	
63.7(d)	Yes.	
63.7(e)(1)	No	See § 63.1413(a)(2).
63.7(e)(2)	Yes.	
63.7(e)(3)	No	Subpart OOO specifies requirements.
63.7(e)(4)	Yes.	
63.7(f)	Yes	Except that if a site specific test plan is not required, the notification deadline in § 63.7(f)(2)(i) shall be 60 days prior to the performance test, and in § 63.7(f)(3), approval or disapproval of the alternative test method shall not be tied to the site specific test plan.
63.7(g)	Yes	Except that the requirements in § 63.1417(e) shall apply instead of the references to the Notification of Compliance Status report in § 63.9(h). In addition, equipment leaks subject to § 63.1410 are not required to conduct performance tests.
63.7(h)	Yes	Except § 63.7(h)(4)(ii) may not be applicable, if the site-specific test plan in § 63.7(c)(2) is not required.
63.8(a)(1)	Yes.	
63.8(a)(2)	No.	
63.8(a)(3)	No	[Reserved].
63.8(a)(4)	Yes.	
63.8(b)(1)	Yes.	
63.8(b)(2)	No	Subpart OOO specifies locations to conduct monitoring.
63.8(b)(3)	Yes.	
63.8(c)(1)	Yes.	
63.8(c)(1)(i)	No.	
63.8(c)(1)(ii)	No.	
63.8(c)(1)(iii)	No.	
63.8(c)(2)	Yes.	
63.8(c)(3)	Yes.	
63.8(c)(4)	No	§ 63.1415 specifies monitoring frequency; not applicable to equipment leaks because § 63.1410 does not require continuous monitoring systems.
63.8(c)(5)–63.8(c)(8)	No.	
63.8(d)	No.	
63.8(e)	No.	
63.8(f)(1)–63.8(f)(3)	Yes.	
63.8(f)(4)(i)	No	Timeframe for submitting request is specified in § 63.1417 (j) or (k); not applicable to equipment leaks because § 63.1410 (through reference to 40 CFR part 63, subpart UU) specifies acceptable alternative methods.
63.8(f)(4)(ii)	No	Contents of request are specified in § 63.1417(j) or (k).
63.8(f)(4)(iii)	No.	
63.8(f)(5)(i)	Yes.	
63.8(f)(5)(ii)	No.	
63.8(f)(5)(iii)	Yes.	
63.8(f)(6)	No	Subpart OOO does not require continuous emission monitors.
63.8(g)	No	Data reduction procedures specified in § 63.1416(a) and (h); not applicable to equipment leaks.
63.9(a)	Yes.	
63.9(b)	No	Subpart OOO does not require an initial notification.
63.9(c)	Yes.	
63.9(d)	Yes.	

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Reference	Applies to subpart OOO	Explanation
63.9(e) .....	No .....	§ 63.1417 specifies notification deadlines. Subpart OOO does not require opacity and visible emission standards.
63.9(f) .....	No .....	
63.9(g) .....	No .....	§ 63.1417(e) specifies Notification of Compliance Status requirements.
63.9(h) .....	No .....	
63.9(i) .....	Yes .....	For change in major source status only. Only as specified in § 63.9(j).
63.9(j) .....	Yes .....	
63.9(k) .....	Yes .....	
63.10(a) .....	Yes .....	
63.10(b)(1) .....	No .....	§ 63.1416(a) specifies record retention requirements.
63.10(b)(2) .....	No .....	Subpart OOO specifies recordkeeping requirements.
63.10(b)(3) .....	No .....	§ 63.1400(e) requires documentation of sources that are not affected sources.
63.10(c) .....	No .....	§ 63.1416 specifies recordkeeping requirements.
63.10(d)(1) .....	Yes .....	§ 63.1417 specifies performance test reporting requirements; not applicable to equipment leaks.
63.10(d)(2) .....	No .....	
63.10(d)(3) .....	No .....	Subpart OOO does not require opacity and visible emission standards.
63.10(d)(4) .....	Yes .....	See § 63.1417(g) for malfunction reporting requirements.
63.10(d)(5) .....	No .....	
63.10(e) .....	No .....	§ 63.1417 specifies reporting requirements.
63.10(f) .....	Yes .....	Except that instead of § 63.11(b), § 63.1413(g) shall apply.
63.11 .....	Yes .....	
63.12 .....	Yes .....	
63.13–63.15 .....	Yes .....	

[65 FR 3290, Jan. 20, 2000, as amended at 71 FR 20461, Apr. 20, 2006; 79 FR 60934, Oct. 8, 2014; 85 FR 73899, Nov. 19, 2020]

**TABLE 2 TO SUBPART OOO OF PART 63—KNOWN ORGANIC HAZARDOUS AIR POLLUTANTS (HAP) FROM THE MANUFACTURE OF AMINO/PHENOLIC RESINS**

Organic HAP	CAS Number	Organic HAP subject to cooling tower monitoring requirements in § 63.1409 (Yes/No)	
		Column A	Column B
Acrylamide .....	79–06–1 .....	No .....	No
Aniline .....	62–53–3 .....	Yes .....	No
Biphenyl .....	92–52–4 .....	Yes .....	Yes
Cresol and cresylic acid (mixed) .....	1319–77–3 .....	Yes .....	No
Cresol and cresylic acid (m-) .....	108–39–4 .....	Yes .....	No
Cresol and cresylic acid (o-) .....	95–48–7 .....	Yes .....	No
Cresol and cresylic acid (p-) .....	106–44–5 .....	Yes .....	No
Diethanolamine .....	111–42–2 .....	No .....	No
Dimethylformamide .....	68–12–2 .....	No .....	No
Ethylbenzene .....	100–41–4 .....	Yes .....	Yes
Ethylene glycol .....	107–21–1 .....	No .....	No
Formaldehyde .....	50–00–0 .....	Yes .....	No
Glycol ethers .....	0 .....	No .....	No
Methanol .....	67–56–1 .....	Yes .....	Yes
Methyl ethyl ketone .....	78–93–3 .....	Yes .....	Yes
Methyl isobutyl ketone .....	108–10–1 .....	Yes .....	Yes
Naphthalene .....	91–20–3 .....	Yes .....	Yes
Phenol .....	108–95–2 .....	Yes .....	No
Styrene .....	100–42–5 .....	Yes .....	Yes
Toluene .....	108–88–3 .....	No .....	Yes
Xylenes (NOS) .....	1330–20–7 .....	Yes .....	Yes
Xylene (m-) .....	108–38–3 .....	Yes .....	Yes
Xylene (o-) .....	95–47–6 .....	Yes .....	Yes
Xylene (p-) .....	106–42–3 .....	Yes .....	Yes

CAS No. = Chemical Abstract Registry Number.

TABLE 3 TO SUBPART 000 OF PART 63—BATCH PROCESS VENT MONITORING REQUIREMENTS

Control device	Parameters to be monitored	Frequency/recordkeeping requirements
Scrubber <sup>a</sup> .....	pH of scrubber effluent, and .....	Continuous records as specified in § 63.1416(d). <sup>b</sup>
	Scrubber liquid and gas flow rates .....	Continuous records as specified in § 63.1416(d). <sup>b</sup>
Absorber <sup>a</sup> .....	Exit temperature of the absorbing liquid, and, .....	Continuous records as specified in § 63.1416(d). <sup>b</sup>
	Exit specific gravity for the absorbing liquid. ....	Continuous records as specified in § 63.1416(d). <sup>b</sup>
Condenser <sup>a</sup> .....	Exit (product side) temperature .....	Continuous records as specified in § 63.1416(d). <sup>a</sup>
Carbon adsorber <sup>a</sup> .....	Total regeneration steam flow or nitrogen flow, or pressure (gauge or absolute) during carbon bed regeneration cycle(s), and, .....	Record the total regeneration steam flow or nitrogen flow, or pressure for each carbon bed regeneration cycle.
	Temperature of the carbon bed after regeneration and within 15 minutes of completing any cooling cycle(s). ....	Record the temperature of the carbon bed after each regeneration and within 15 minutes of completing any cooling cycle(s).
Thermal incinerator .....	Firebox temperature <sup>c</sup> .....	Continuous records as specified in § 63.1416(d). <sup>b</sup>
Catalytic incinerator .....	Temperature upstream and downstream of the catalyst bed. ....	Continuous records as specified in § 63.1416(d). <sup>b</sup>
Boiler or process heater with a design heat input capacity less than 44 megawatts and where the batch process vents or aggregate batch vent streams are not introduced with or used as the primary fuel. ....	Firebox temperature <sup>c</sup> .....	Continuous records as specified in § 63.1416(d). <sup>b</sup>
Flare .....	Presence of a flame at the pilot light .....	Hourly records of whether the monitor was continuously operating during batch emission episodes, or portions thereof, selected for control and whether a flame was continuously present at the pilot light during said periods.
All control devices .....	Diversion to the atmosphere from the control device or, .....	Hourly records of whether the flow indicator was operating during batch emission episodes, or portions thereof, selected for control and whether a diversion was detected at any time during said periods as specified in § 63.1416(d).
	Monthly inspections of sealed valves .....	Records that monthly inspections were performed as specified in § 63.1416(d).
Scrubber, absorber, condenser, and carbon adsorber (as an alternative to the requirements previously presented in this table). ....	Concentration level or reading indicated by an organic monitoring device at the outlet of the control device. ....	Continuous records as specified in § 63.1416(d). <sup>b</sup>

<sup>a</sup> Alternatively, these devices may comply with the organic monitoring device provisions listed at the end of this table.  
<sup>b</sup> “Continuous records” is defined in § 63.111.  
<sup>c</sup> Monitor may be installed in the firebox or in the ductwork immediately downstream of the firebox before any substantial heat exchange is encountered.

TABLE 4 TO SUBPART 000 OF PART 63—OPERATING PARAMETER LEVELS

Device	Parameters to be monitored	Established operating parameter(s)
Scrubber .....	pH of scrubber effluent; and scrubber liquid and gas flow rates. ....	Minimum pH; and minimum liquid/gas ratio
Absorber .....	Exit temperature of the absorbing liquid; and exit specific gravity of the absorbing liquid. ....	Maximum temperature; and maximum specific gravity
Condenser .....	Exit temperature .....	Maximum temperature

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Device	Parameters to be monitored	Established operating parameter(s)
Carbon absorber .....	Total regeneration steam or nitrogen flow, or pressure (gauge or absolute) <sup>a</sup> during carbon bed regeneration cycle; and temperature of the carbon bed after regeneration (and within 15 minutes of completing any cooling cycle(s)).	Maximum flow or pressure; and maximum temperature
Thermal incinerator .....	Firebox temperature .....	Minimum temperature
Catalytic incinerator .....	Temperature upstream and downstream of the catalyst bed.	Minimum upstream temperature; and minimum temperature difference across the catalyst bed
Boiler or process heater .....	Firebox temperature .....	Minimum temperature
Other devices (or as an alternate to the requirements previously presented in this table) <sup>b</sup> .	Organic HAP concentration level or reading at outlet of device.	Maximum organic HAP concentration or reading

<sup>a</sup> 25 to 50 mm (absolute) is a common pressure level obtained by pressure swing absorbers.

<sup>b</sup> Concentration is measured instead of an operating parameter.

TABLE 5 TO SUBPART OOO OF PART 63—REPORTS REQUIRED BY THIS SUBPART

Reference	Description of report	Due date
§ 63.1400(j) and Subpart A of this part .....	Refer to Table 1 and Subpart A of this part.	Refer to Subpart A of this part.
63.1417(d) .....	Precompliance Report .....	Existing affected sources—12 months prior to the compliance date. New affected sources—with application for approval of construction or reconstruction.
63.1417(e) .....	Notification of Compliance Status .....	Within 150 days after the compliance date.
63.1417(f) .....	Periodic Reports .....	Semiannually, no later than 60 days after the end of each 6-month period. See § 63.1417(f)(1) for the due date for the first report.
63.1417(f)(12) .....	Quarterly reports upon request of the administrator.	No later than 60 days after the end of each quarter.
63.1417(g) .....	Start-up, shutdown, and malfunction reports.	Semiannually (same schedule as Periodic reports).
63.1417(h)(1) .....	Notification of storage vessel inspection	As specified in 40 CFR part 63, subpart WW.
63.1417(h)(2) .....	Site-specific test plan .....	90 days prior to planned date of test.
63.1417(h)(3) .....	Notification of planned performance test	30 days prior to planned date of test.
63.1417(h)(4) .....	Notification of change in primary product	As specified in § 63.1400 (g)(7) or (g)(8).
63.1417(h)(5) .....	Notification of added emission points .....	180 days prior to the appropriate compliance date.
63.1417(h)(6) .....	Notification that a small control device has been redesignated as a large control device.	Within 60 days of the redesignation of control device size.
63.1417(h)(7) .....	Notification of process change .....	Within 60 days after performance test or applicability assessment, whichever is sooner.
63.1417(h)(8) .....	Electronic reporting .....	Within 60 days after completing performance test.

<sup>a</sup> Note that the APPU remains subject to this subpart until the notification under § 63.1400(g)(7) is made.

[65 FR 3290, Jan. 20, 2000, as amended at 79 FR 60935, Oct. 8, 2014]

TABLE 6 TO SUBPART OOO OF PART 63—COEFFICIENTS FOR TOTAL RESOURCE EFFECTIVENESS<sup>A</sup>

Control device basis	Values of coefficients		
	A	B	C
Flare .....	$5.276 \times 10^{-1}$	$9.98 \times 10^{-2}$	$2.096 \times 10^{-3}$
Thermal Incinerator 0 Percent Recovery .....	$4.068 \times 10^{-1}$	$1.71 \times 10^{-2}$	$8.664 \times 10^{-3}$



Control device basis	Values of coefficients		
	A	B	C
Thermal Incinerator 70 Percent Recovery .....	$6.868 \times 10^{-1}$	$3.21 \times 10^{-3}$	$3.546 \times 10^{-3}$

<sup>a</sup> Use according to procedures outlined in this section.  
 MJ/scm = MegaJoules per standard cubic meter.  
 scm/min = Standard cubic meters per minute.

**Subpart PPP—National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production**

SOURCE: 64 FR 29439, June 1, 1999, unless otherwise noted.

**§ 63.1420 Applicability and designation of affected sources.**

(a) *Definition of affected source.* The provisions of this subpart apply to each affected source. Affected sources are described in paragraphs (a)(1) through (4) of this section.

(1) An affected source is either an existing affected source or a new affected source. Existing affected source is defined in paragraph (a)(2) of this section, and new affected source is defined in paragraph (a)(3) of this section.

(2) An existing affected source is defined as the group of one or more polyether polyol manufacturing process units (PMPUs) and associated equipment, as listed in paragraph (a)(4) of this section, that is not part of a new affected source, as defined in paragraph (a)(3) of this section, and that is located at a plant site that is a major source.

(3) A new affected source is defined as a source that meets the criteria of paragraph (a)(3)(i), (ii), or (iii) of this section. The situation described in paragraph (a)(3)(i) of this section is distinct from those situations described in paragraphs (a)(3)(ii) and (iii) of this section.

(i) At a site without organic HAP emission points before September 4, 1997 (i.e., a “greenfield” site), the group of one or more PMPUs and associated equipment, as listed in paragraph (a)(4) of this section, that is part of a major source, and on which construction for the PMPU(s) commenced after September 4, 1997;

(ii) The group of one or more PMPUs meeting the criteria in paragraph (g)(1)(i) of this section; or

(iii) A reconstructed affected source meeting the criteria in paragraph (g)(2)(i) of this section.

(4) The affected source also includes the emission points and components specified in paragraphs (a)(4)(i) through (vi) of this section that are associated with a PMPU (or a group of PMPUs) making up an affected source, as defined in § 63.1423.

(i) Each waste management unit.

(ii) Maintenance wastewater.

(iii) Each heat exchange system.

(iv) Components required by or utilized as a method of compliance with this subpart, which may include control techniques and recovery devices.

(v) Product finishing operation.

(vi) Each feed or catalyst operation.

(b) *PMPUs without organic HAP.* The owner or operator of a PMPU that is part of an affected source, as defined in paragraph (a) of this section, but that does not use or manufacture any organic HAP during the production of one or more products is only subject to the provisions of this subpart as specified in paragraph (b)(1) or (2) of this section, as applicable. Products or raw material(s) containing organic HAP as impurities only are not considered organic HAP for the purposes of this paragraph.

(1) If an organic HAP is not used or manufactured in the production of polyether polyols, the PMPU is not subject to any provisions of this subpart, except that the owner or operator shall comply with either paragraph (b)(1)(i) or (ii) of this section. The owner or operator is not required to comply with the provisions of 40 CFR part 63, subpart A (the General Provisions) for that PMPU.

(i) Retain information, data, and analyses used to document the basis for the determination that the PMPU