

(B) To achieve a total incinerator outlet concentration for the HAP, listed in Table 1 of this subpart, of less than or equal to 20 ppmv on a dry basis corrected to 3 percent oxygen.

(iii) Maintain the conditions in the vapor incinerator combustion chamber at a residence time of 0.5 seconds or longer and at a temperature of 760°C or higher.

(2) The owner or operator must demonstrate that the vapor incinerator achieves the performance requirements in paragraph (f)(1) of this section by conducting either a performance test as specified in paragraph (f)(2)(i) of this section or a design analysis as specified in paragraph (f)(2)(ii) of this section, except as provided for in paragraph (f)(2)(iii) of this section.

(i) An owner or operator choosing to use a performance test to demonstrate compliance must conduct the test in accordance with the requirements of § 63.694(l) of this subpart.

(ii) An owner or operator choosing to use a design analysis to demonstrate compliance must include as part of this design analysis the information specified in either paragraph (f)(2)(ii)(A) or (f)(2)(ii)(B) of this section as applicable to the vapor incinerator design.

(A) For a thermal vapor incinerator, the design analysis shall address the vent stream composition, constituent concentrations, and flow rate and shall establish the design minimum and average temperatures in the combustion chamber and the combustion chamber residence time.

(B) For a catalytic vapor incinerator, the design analysis shall address the vent stream composition, constituent concentrations, and flow rate and shall establish the design minimum and average temperatures across the catalyst bed inlet and outlet, and the design service life of the catalyst.

(iii) An owner or operator is not required to conduct a performance test or design analysis if the incinerator 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.

(3) The owner or operator must monitor the operation of the vapor inciner-

ator in accordance with the requirements of § 63.695(e) of this subpart using one of the continuous monitoring systems specified in paragraphs (f)(3)(i) through (f)(3)(iv) of this section as applicable to the type of vapor incinerator used.

(i) For a thermal vapor incinerator, a continuous parameter monitoring system to measure and record the daily average temperature of the exhaust gases from the control device. The accuracy of the temperature monitoring device must be  $\pm 1$  percent of the temperature being measured, expressed in degrees Celsius of  $\pm 0.5$  °C, whichever is greater.

(ii) For a catalytic vapor incinerator, a temperature monitoring device capable of monitoring temperature at two locations equipped with a continuous recorder. One temperature sensor shall be installed in the vent stream at the nearest feasible point to the catalyst bed inlet and a second temperature sensor shall be installed in the vent stream at the nearest feasible point to the catalyst bed outlet.

(iii) For either type of vapor incinerator, a continuous monitoring system to measure and record the daily average concentration of organic compounds in the exhaust vent stream from the control device. The organic monitoring system must comply either with Performance Specification 8 or 9 in 40 CFR part 60, appendix B. The relative accuracy provision of Performance Specification 8, Sections 2.4 and 3 need not be conducted.

(iv) For either type of vapor incinerator, a continuous monitoring system that measures alternative operating parameters other than those specified in paragraph (f)(3)(i) or (f)(3)(ii) of this section upon approval of the Administrator as specified in 40 CFR 63.8(f)(1) through (f)(5) of this part.

(g) Boilers and process heaters control device requirements.

(1) The boiler or process heater must achieve the performance specifications in either paragraph (g)(1)(i), (g)(1)(ii), (g)(1)(iii), (g)(1)(iv), or (g)(1)(v) of this section.

(i) Destroy the total organic compounds (TOC), less methane and ethane, contained in the vent stream introduced into the flame zone of the boiler or process heater either:

(A) By 95 percent or more, on a weight-basis, or

(B) To achieve in the exhausted combustion gases a total concentration for the TOC, less methane and ethane, of less than or equal to 20 parts ppmv on a dry basis corrected to 3 percent oxygen.

(ii) Destroy the HAP listed in Table 1 of this subpart contained in the vent stream entering the vapor incinerator either:

(A) By 95 percent or more, on a total HAP weight-basis, or

(B) To achieve in the exhausted combustion gases a total concentration for the HAP, listed in Table 1 of the subpart, of less than or equal to 20 ppmv on a dry basis corrected to 3 percent oxygen.

(iii) Introduce the vent stream into the flame zone of the boiler or process heater and maintain the conditions in the combustion chamber at a residence time of 0.5 seconds or longer and at a temperature of 760°C or higher.

(iv) Introduce the vent stream with the fuel that provides the predominate heat input to the boiler or process heater (i.e., the primary fuel); or

(v) Introduce the vent stream to a boiler or process heater for which the owner or operator either has been issued a final permit under 40 CFR part 270 and complies with the requirements of 40 CFR part 266, subpart H; or has certified compliance with the interim status requirements of 40 CFR part 266, subpart H; or has submitted a Notification of Compliance under §§ 63.1207(j) and 63.1210(d) and complies with the requirements of subpart EEE of this part at all times (including times when non-hazardous waste is being burned).

(2) The owner or operator must demonstrate that the boiler or process heater achieves the performance specifications in paragraph (g)(1) of this section chosen by the owner or operator using the applicable method specified in paragraph (g)(2)(i) or (g)(2)(ii) of this section.

(i) If an owner or operator chooses to comply with the performance specifica-

tions in either paragraph (g)(1)(i), (ii), or (iii) of this section, the owner or operator must demonstrate compliance with the applicable performance specifications by conducting either a performance test as specified in paragraph (g)(2)(i)(A) of this section or a design analysis as specified in paragraph (g)(2)(i)(B) of this section, except as provided for in paragraph (g)(2)(i)(C) of this section.

(A) An owner or operator choosing to use a performance test to demonstrate compliance must conduct the test in accordance with the requirements of § 63.694(l) of this subpart.

(B) An owner or operator choosing to use a design analysis to demonstrate compliance must include as part of this design analysis the following information: description of the vent stream composition, constituent concentrations, and flow rate; specification of the design minimum and average flame zone temperatures and combustion zone residence time; and description of the method and location by which the vent stream is introduced into the flame zone.

(C) An owner or operator is not required to conduct a performance test or design analysis if the boiler or process heater has been issued a final permit under 40 CFR part 270 and complies with the requirements of 40 CFR part 266, subpart H; or has certified compliance with the interim status requirements of 40 CFR part 266, subpart H.

(ii) If an owner or operator chooses to comply with the performance specifications in either paragraph (g)(1)(iv) or (g)(1)(v) of this section, the owner or operator must demonstrate compliance by maintaining the records that document that the boiler or process heater is designed and operated in accordance with the applicable requirements of this section.

(3) For a boiler or process heater complying with the performance specifications in either paragraph (g)(1)(i), (g)(1)(ii), or (g)(1)(iii) of this section, the owner or operator must monitor the operation of a boiler or process heater in accordance with the requirements of § 63.695(e) of this subpart using one of the continuous monitoring systems specified in paragraphs (g)(3)(i) through (g)(3)(iii) of this section.

(i) A continuous parameter monitoring system to measure and record the daily average combustion zone temperature. The accuracy of the temperature sensor must be  $\pm 1$  percent of the temperature being measured, expressed in degrees Celsius or  $\pm 0.5$  °C, whichever is greater;

(ii) A continuous monitoring system to measure and record the daily average concentration of organic compounds in the exhaust vent stream from the control device. The organic monitoring system must comply either with Performance Specification 8 or 9 in 40 CFR part 60, appendix B. The relative accuracy provision of Performance Specification 8, Sections 2.4 and 3 need not be conducted.

(iii) A continuous monitoring system that measures alternative operating parameters other than those specified in paragraph (g)(3)(i) or (g)(3)(ii) of this section upon approval of the Administrator as specified in 40 CFR 63.8(f)(1) through (f)(5) of this part.

(h) Flare control device requirements.

(1) The flare must be designed and operated in accordance with the requirements in 40 CFR 63.11(b).

(2) The owner or operator must demonstrate that the flare achieves the requirements in paragraph (h)(1) of this section by performing the procedures specified in paragraph (h)(2)(i) of this section. A previous compliance demonstration for the flare that meets all of the conditions specified in paragraph (h)(2)(ii) of this section may be used by an owner or operator to demonstrate compliance with this paragraph (h)(2).

(i) To demonstrate that a flare achieves the requirements in paragraph (h)(1) of this section, the owner or operator performs all of the procedures specified in paragraphs (h)(2)(i)(A) through (h)(2)(i)(C) of this section.

(A) The owner or operator conducts a visible emission test for the flare in accordance with the requirements specified in 40 CFR 63.11(b)(4).

(B) The owner or operator determines the net heating value of the gas being combusted in the flare in accordance with the requirements specified in 40 CFR 63.11(b)(6); and

(C) The owner or operator determines the flare exit velocity in accordance

with the requirements applicable to the flare design as specified in 40 CFR 63.11(b)(7) or 40 CFR 63.11(b)(8).

(ii) A previous compliance demonstration for the flare may be used by an owner or operator to demonstrate compliance with paragraph (h)(2) of this section provided that all conditions for the compliance determination and subsequent flare operation are met as specified in paragraphs (h)(2)(i)(A) and (h)(2)(i)(B) of this section.

(A) The owner or operator conducted the compliance determination using the procedures specified in paragraph (h)(2)(i) of this section.

(B) No flare operating parameter or process changes have occurred since completion of the compliance determination which could affect the compliance determination results.

(3) The owner or operator must monitor the operation of the flare using a heat sensing monitoring device (including but not limited to a thermocouple, ultraviolet beam sensor, or infrared sensor) that continuously detects the presence of a pilot flame. The owner or operator must record, for each 1-hour period, whether the monitor was continuously operating and whether a pilot flame was continuously present during each hour as required in § 63.696(b)(3) of this subpart.

[64 FR 38970, July 20, 1999, as amended at 66 FR 1266, Jan. 8, 2001; 68 FR 37351, June 23, 2003; 80 FR 14276, Mar. 18, 2015]

#### § 63.694 Testing methods and procedures.

(a) This section specifies the testing methods and procedures required for this subpart to perform the following:

(1) To determine the average VOHAP concentration for off-site material streams at the point-of-delivery for compliance with standards specified § 63.683 of this subpart, the testing methods and procedures are specified in paragraph (b) of this section.

(2) To determine the average VOHAP concentration for treated off-site material streams at the point-of-treatment for compliance with standards specified § 63.684 of this subpart, the testing methods and procedures are specified in paragraph (c) of this section.

(3) To determine the treatment process VOHAP concentration limit ( $C_R$ ) for

compliance with standards specified § 63.684 of this subpart, the testing methods and procedures are specified in paragraph (d) of this section.

(4) To determine treatment process required HAP removal rate (RMR) for compliance with standards specified § 63.684 of this subpart, the testing methods and procedures are specified in paragraph (e) of this section.

(5) To determine treatment process actual HAP removal rate (MR) for compliance with standards specified § 63.684 of this subpart, the testing methods and procedures are specified in paragraph (f) of this section.

(6) To determine treatment process required HAP reduction efficiency (R) for compliance with standards specified in § 63.684 of this subpart, the testing methods and procedures are specified in paragraph (g) of this section.

(7) To determine treatment process required HAP biodegradation efficiency ( $R_{bio}$ ) for compliance with standards specified in § 63.684 of this subpart, the testing methods and procedures are specified in paragraph (h) of this section.

(8) To determine treatment process required actual HAP mass removal rate ( $MR_{bio}$ ) for compliance with standards specified in § 63.684 of this subpart, the testing methods and procedures are specified in paragraph (i) of this section.

(9) To determine maximum organic HAP vapor pressure of off-site materials in tanks for compliance with the standards specified in § 63.685 of this subpart, the testing methods and procedures are specified in paragraph (j) of this section.

(10) To determine no detectable organic emissions, the testing methods and procedures are specified in paragraph (k) of this section.

(11) To determine closed-vent system and control device performance for compliance with the standards specified in § 63.693 of this subpart, the testing methods and procedures are specified in paragraph (l) of this section.

(12) To determine process vent stream flow rate and total organic HAP concentration for compliance with the standards specified in § 63.693 of this subpart, the testing methods

and procedures are specified in paragraph (m) of this section.

(b) Testing methods and procedures to determine average VOHAP concentration of an off-site material stream at the point-of-delivery.

(1) The average VOHAP concentration of an off-site material at the point-of-delivery shall be determined using either direct measurement as specified in paragraph (b)(2) of this section or by knowledge as specified in paragraph (b)(3) of this section.

(2) *Direct measurement to determine VOHAP concentration—(i) Sampling.* Samples of the off-site material stream shall be collected from the container, pipeline, or other device used to deliver the off-site material stream to the plant site in a manner such that volatilization of organics contained in the sample is minimized and an adequately representative sample is collected and maintained for analysis by the selected method.

(A) The averaging period to be used for determining the average VOHAP concentration for the off-site material stream on a mass-weighted average basis shall be designated and recorded. The averaging period can represent any time interval that the owner or operator determines is appropriate for the off-site material stream but shall not exceed 1 year.

(B) A sufficient number of samples, but no less than four samples, shall be collected to represent the complete range of HAP compositions and HAP quantities that occur in the off-site material stream during the entire averaging period due to normal variations in the operating conditions for the source or process generating the off-site material stream. Examples of such normal variations are seasonal variations in off-site material quantity or fluctuations in ambient temperature.

(C) All samples shall be collected and handled in accordance with written procedures prepared by the owner or operator and documented in a site sampling plan. This plan shall describe the procedure by which representative samples of the off-site material stream are collected such that a minimum loss of organics occurs throughout the sample collection and handling process and

by which sample integrity is maintained. A copy of the written sampling plan shall be maintained on-site in the plant site operating records. An example of an acceptable sampling plan includes a plan incorporating sample collection and handling procedures in accordance with the requirements specified in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846 or Method 25D in 40 CFR part 60, appendix A.

(ii) *Analysis.* Each collected sample must be prepared and analyzed in accordance with one of the following methods as applicable to the sampled off-site material for the purpose of measuring the HAP listed in Table 1 of this subpart:

(A) Method 305 in 40 CFR part 63, appendix A.

(B) Method 25D in 40 CFR part 60, appendix A.

(C) Method 624 in 40 CFR part 136, appendix A. If this method is used to analyze one or more compounds that are not on the method's published list of approved compounds, the Alternative Test Procedure specified in 40 CFR 136.4 and 40 CFR 136.5 must be followed.

(D) Method 625 in 40 CFR part 136, appendix A. For the purpose of using this method to comply with this subpart, the owner or operator must perform corrections to these compounds based on the "accuracy as recovery" using the factors in Table 7 of the method. If this method is used to analyze one or more compounds that are not on the method's published list of approved compounds, the Alternative Test Procedure specified in 40 CFR 136.4 and 40 CFR 136.5 must be followed.

(E) Method 1624 in 40 CFR part 136, appendix A.

(F) Method 1625 in 40 CFR part 136, appendix A.

(G) Method 8260 in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846, Third Edition, September 1986, as amended by Update I, November 15, 1992. As an alternative, an owner or operator may use any more recent, updated version of Method 8260 approved by the EPA. For the purpose of using Method 8260 to comply with this subpart, the owner or operator must

maintain a formal quality assurance program consistent with section 8 of Method 8260, and this program must include the following elements related to measuring the concentrations of volatile compounds:

(1) Documentation of site-specific procedures to minimize the loss of compounds due to volatilization, biodegradation, reaction, or sorption during the sample collection, storage, and preparation steps.

(2) Documentation of specific quality assurance procedures followed during sampling, sample preparation, sample introduction, and analysis.

(3) Measurement of the average accuracy and precision of the specific procedures, including field duplicates and field spiking of the off-site material source before or during sampling with compounds having similar chemical characteristics to the target analytes.

(H) Method 8270 in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846, Third Edition, September 1986, as amended by Update I, November 15, 1992. As an alternative, an owner or operator may use any more recent, updated version of Method 8270 approved by the EPA. For the purpose of using Method 8270 to comply with this subpart, the owner or operator must maintain a formal quality assurance program consistent with Method 8270, and this program must include the following elements related to measuring the concentrations of volatile compounds:

(1) Documentation of site-specific procedures to minimize the loss of compounds due to volatilization, biodegradation, reaction, or sorption during the sample collection, storage, and preparation steps.

(2) Documentation of specific quality assurance procedures followed during sampling, sample preparation, sample introduction, and analysis.

(3) Measurement of the average accuracy and precision of the specific procedures, including field duplicates and field spiking of the off-site material source before or during sampling with compounds having similar chemical characteristics to the target analytes.

(I) Any other analysis method that has been validated in accordance with

the procedures specified in section 5.1 and section 5.3 and the corresponding calculations in section 6.1 or section 6.3 of Method 301 in appendix A in 40 CFR part 63. The data are acceptable if they meet the criteria specified in section 6.1.5 or section 6.3.3 of Method 301. If correction is required under section 6.3.3 of Method 301, the data are acceptable if the correction factor is within the range of 0.7 to 1.30. Other sections of Method 301 are not required.

(iii) *Calculations.* The average VOHAP concentration (C) on a mass-weighted basis shall be calculated by using the results for all samples analyzed in accordance with paragraph (b)(2)(ii) of this section and the following equation. An owner or operator using a test method that provides species-specific chemical concentrations may adjust the measured concentrations to the corresponding concentration values which would be obtained had the off-site material samples been analyzed using Method 305. To adjust these data, the measured concentration for each individual HAP chemical species contained in the off-site material is multiplied by the appropriate species-specific adjustment factor ( $f_{m305}$ ) listed in Table 1 of this subpart.

$$C = \frac{1}{Q_T} \times \sum_{i=1}^n (Q_i \times C_i)$$

Where:

C = Average VOHAP concentration of the off-site material at the point-of-delivery on a mass-weighted basis, ppmw.

i = Individual sample "i" of the off-site material.

n = Total number of samples of the off-site material collected (at least 4) for the averaging period (not to exceed 1 year).

$Q_i$  = Mass quantity of off-site material stream represented by  $C_i$ , kg/hr.

$Q_T$  = Total mass quantity of off-site material during the averaging period, kg/hr.

$C_i$  = Measured VOHAP concentration of sample "i" as determined in accordance with the requirements of § 63.694(a), ppmw.

(3) Knowledge of the off-site material to determine VOHAP concentration.

(i) Documentation shall be prepared that presents the information used as the basis for the owner's or operator's knowledge of the off-site material stream's average VOHAP concentration. Examples of information that

may be used as the basis for knowledge include: material balances for the source or process generating the off-site material stream; species-specific chemical test data for the off-site material stream from previous testing that are still applicable to the current off-site material stream; previous test data for other locations managing the same type of off-site material stream; or other knowledge based on information in documents such as manifests, shipping papers, or waste certification notices.

(ii) If test data are used as the basis for knowledge, then the owner or operator shall document the test method, sampling protocol, and the means by which sampling variability and analytical variability are accounted for in the determination of the average VOHAP concentration. For example, an owner or operator may use HAP concentration test data for the off-site material stream that are validated in accordance with Method 301 in 40 CFR part 63, appendix A of this part as the basis for knowledge of the off-site material.

(iii) An owner or operator using species-specific chemical concentration test data as the basis for knowledge of the off-site material may adjust the test data to the corresponding average VOHAP concentration value which would be obtained had the off-site material samples been analyzed using Method 305. To adjust these data, the measured concentration for each individual HAP chemical species contained in the off-site material is multiplied by the appropriate species-specific adjustment factor ( $f_{m305}$ ) listed in Table 1 of this subpart.

(iv) In the event that the Administrator and the owner or operator disagree on a determination of the average VOHAP concentration for an off-site material stream using knowledge, then the results from a determination of VOHAP concentration using direct measurement as specified in paragraph (b)(2) of this section shall be used to establish compliance with the applicable requirements of this subpart. The Administrator may perform or require that the owner or operator perform this determination using direct measurement.

(c) Determination of average VOHAP concentration of an off-site material stream at the point-of-treatment.

(1) *Sampling.* Samples of the off-site material stream shall be collected at the point-of-treatment in a manner such that volatilization of organics contained in the sample is minimized and an adequately representative sample is collected and maintained for analysis by the selected method.

(i) The averaging period to be used for determining the average VOHAP concentration for the off-site material stream on a mass-weighted average basis shall be designated and recorded. The averaging period can represent any time interval that the owner or operator determines is appropriate for the off-site material stream but shall not exceed 1 year.

(ii) A sufficient number of samples, but no less than four samples, shall be collected to represent the complete range of HAP compositions and HAP quantities that occur in the off-site material stream during the entire averaging period due to normal variations in the operating conditions for the treatment process. Examples of such normal variations are seasonal variations in off-site material quantity or fluctuations in ambient temperature.

(iii) All samples shall be collected and handled in accordance with written procedures prepared by the owner or operator and documented in a site sampling plan. This plan shall describe the procedure by which representative samples of the off-site material stream are collected such that a minimum loss of organics occurs throughout the sample collection and handling process and by which sample integrity is maintained. A copy of the written sampling plan shall be maintained on-site in the plant site operating records. An example of an acceptable sampling plan includes a plan incorporating sample collection and handling procedures in accordance with the requirements specified in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846 or Method 25D in 40 CFR part 60, appendix A.

(2) *Analysis.* Each collected sample must be prepared and analyzed in accordance with one of the methods spec-

ified in paragraphs (b)(2)(ii)(A) through (b)(2)(ii)(I) of this section, as applicable to the sampled off-site material, for the purpose of measuring the HAP listed in Table 1 of this subpart.

(3) *Calculations.* The average VOHAP concentration ( $\bar{C}$ ) a mass-weighted basis shall be calculated by using the results for all samples analyzed in accordance with paragraph (c)(2) of this section and the following equation. An owner or operator using a test method that provides species-specific chemical concentrations may adjust the measured concentrations to the corresponding concentration values which would be obtained had the off-site material samples been analyzed using Method 305. To adjust these data, the measured concentration for each individual HAP chemical species contained in the off-site material is multiplied by the appropriate species-specific adjustment factor ( $f_{m305}$ ) listed in Table 1 of this subpart.

$$\bar{C} = \frac{1}{Q_T} \times \sum_{i=1}^n (Q_i \times C_i)$$

Where:

$\bar{C}$  = Average VOHAP concentration of the off-site material on a mass-weighted basis, ppmw.

$i$  = Individual sample "i" of the off-site material.

$n$  = Total number of samples of the off-site material collected (at least 4) for the averaging period (not to exceed 1 year).

$Q_i$  = Mass quantity of off-site material stream represented by  $C_i$ , kg/hr.

$Q_T$  = Total mass quantity of off-site material during the averaging period, kg/hr.

$C_i$  = Measured VOHAP concentration of sample "i" as determined in accordance with the requirements of § 63.694(a), ppmw.

(d) *Determination of treatment process VOHAP concentration limit ( $C_R$ ).* (1) All of the off-site material streams entering the treatment process shall be identified.

(2) The average VOHAP concentration of each off-site material stream at the point-of-delivery shall be determined using the procedures specified in paragraph (b) of this section.

(3) The VOHAP concentration limit ( $C_R$ ) shall be calculated by using the results determined for each individual off-site material stream and the following equation:

$$C_R = \frac{\sum_{x=1}^m (Q_x \times \bar{C}_x) + \sum_{y=1}^n (Q_y \times 500 \text{ ppmw})}{\sum_{x=1}^m Q_x + \sum_{y=1}^n Q_y}$$

where:

- C<sub>R</sub> = VOHAP concentration limit, ppmw.
- x = Individual off-site material stream "x" that has a VOHAP concentration less than 500 ppmw at the point-of-delivery.
- y = Individual off-site material stream "y" that has a VOHAP concentration equal to or greater than 500 ppmw at the point-of-delivery.
- m = Total number of "x" off-site material streams treated by process.
- n = Total number of "y" off-site material streams treated by process.
- Q<sub>x</sub> = Total mass quantity of off-site material stream "x", kg/yr.
- Q<sub>y</sub> = Total mass quantity of off-site material stream "y", kg/yr.
- C̄<sub>x</sub> = VOHAP concentration of off-site material stream "x" at the point-of-delivery, ppmw.

(e) Determination of required HAP mass removal rate (RMR).

(1) Each individual stream containing HAP that enters the treatment process shall be identified.

(2) The average VOHAP concentration at the point-of-delivery for each stream identified in paragraph (e)(1) of this section shall be determined using the test methods and procedures specified in paragraph (b) of this section.

(3) For each stream identified in paragraph (e)(1) of this section that has an average VOHAP concentration equal to or greater than 500 ppmw at the point-of-delivery, the average volumetric flow rate and the density of the off-site material stream at the point-of-delivery shall be determined.

(4) The required HAP mass removal rate (RMR) shall be calculated by using the average VOHAP concentration, average volumetric flow rate, and density determined in paragraph (e)(3) of this section for each stream and the following equation:

$$RMR = \sum_{y=1}^n \left[ V_y \times k_y \times \frac{(\bar{C}_y - 500 \text{ ppmw})}{10^6} \right]$$

Where:

- RMR = Required HAP mass removal rate, kg/hr.
- y = Individual stream "y" that has a VOHAP concentration equal to or greater than 500 ppmw at the point-of-delivery as determined in § 63.694(b).
- n = Total number of "y" streams treated by process.
- V<sub>y</sub> = Average volumetric flow rate of stream "y" at the point-of-delivery, m<sup>3</sup>/hr.
- k<sub>y</sub> = Density of stream "y", kg/m<sup>3</sup>.
- C̄<sub>y</sub> = Average VOHAP concentration of stream "y" at the point-of-delivery as determined in § 63.694(b)(2), ppmw.

(f) Determination of actual HAP mass removal rate (MR).

(1) The actual HAP mass removal rate (MR) shall be determined based on results for a minimum of three consecutive runs. The sampling time for each run shall be at least 1 hour.

(2) The HAP mass flow entering the process (E<sub>b</sub>) and the HAP mass flow exiting the process (E<sub>a</sub>) shall be determined using the test methods and procedures specified in paragraphs (g)(2) through (g)(4) of this section.

(3) The actual mass removal rate shall be calculated using the HAP mass flow rates determined in paragraph (f)(2) of this section and the following equation:

$$MR = E_b - E_a$$

where:

- MR = Actual HAP mass removal rate, kg/hr.
- E<sub>b</sub> = HAP mass flow entering process as determined in paragraph (f)(2) of this section, kg/hr.
- E<sub>a</sub> = HAP mass flow exiting process as determined in paragraph (f)(2) of this section, kg/hr.

(g) Determination of treatment process HAP reduction efficiency (R).

(1) The HAP reduction efficiency (R) for a treatment process shall be determined based on results for a minimum of three consecutive runs.



(2) Each individual stream containing HAP that enters the treatment process shall be identified. Each individual stream containing HAP that exits the treatment process shall be identified. The owner or operator shall prepare a sampling plan for measuring the identified streams that accurately reflects the retention time of the material in the process.

(3) For each run, information shall be determined for each stream identified in paragraph (g)(2) of this section as specified in paragraphs (g)(3)(i) through (g)(3)(iii) of this section.

(i) The mass quantity shall be determined for each stream identified in paragraph (g)(2) of this section as entering the process ( $Q_b$ ). The mass quantity shall be determined for each stream identified in paragraph (g)(2) of this section as exiting the process ( $Q_a$ ).

(ii) The average VOHAP concentration at the point-of-delivery shall be determined for each stream entering the process ( $C_b$ ) (as identified in paragraph (g)(2) of this section) using the test methods and procedures specified in paragraph (b) of this section.

(iii) The average VOHAP concentration at the point-of-treatment shall be determined for each stream exiting the process ( $C_a$ ) (as identified in paragraph (g)(2) of this section) using the test methods and procedures specified in paragraph (c) of this section.

(4) The HAP mass flow entering the process ( $E_b$ ) and the HAP mass flow exiting the process ( $E_a$ ) shall be calculated using the results determined in paragraph (g)(3) of this section and the following equations:

$$E_a = \frac{1}{10^6} \sum_{j=1}^m (Q_{aj} \times \bar{C}_{aj})$$

$$E_b = \frac{1}{10^6} \sum_{j=1}^m (Q_{bj} \times \bar{C}_{bj})$$

Where:

- $E_b$  = HAP mass flow entering process, kg/hr.
- $E_a$  = HAP mass flow exiting process, kg/hr.
- $m$  = Total number of runs (at least 3)
- $j$  = Individual run "j"
- $Q_{bj}$  = Mass quantity of material entering process during run "j", kg/hr.
- $Q_{aj}$  = Average mass quantity of material exiting process during run "j", kg/hr.

$C_{aj}$  = Average VOHAP concentration of material exiting process during run "j" as determined in § 63.694(c), ppmw.

$C_{bj}$  = Average VOHAP concentration of material entering process during run "j" as determined in § 63.694(b)(2), ppmw.

(5) The HAP reduction efficiency (R) shall be calculated using the HAP mass flow rates determined in paragraph (g)(4) of this section and the following equation:

$$R = \frac{E_b - E_a}{E_b} \times 100$$

Where:

- R = HAP reduction efficiency, percent.
- $E_b$  = HAP mass flow entering process as determined in paragraph (g)(4) of this section, kg/hr.
- $E_a$  = HAP mass flow exiting process as determined in accordance with the requirements of paragraph (g)(4) of this section, kg/hr.

(h) Determination of HAP biodegradation efficiency ( $R_{bio}$ ).

(1) The fraction of HAP biodegraded ( $F_{bio}$ ) shall be determined using one of the procedures specified in appendix C of this part 63.

(2) The HAP biodegradation efficiency ( $R_{bio}$ ) shall be calculated by using the following equation:

$$R_{bio} = F_{bio} \times 100$$

where:

- $R_{bio}$  = HAP biodegradation efficiency, percent.
- $F_{bio}$  = Fraction of HAP biodegraded as determined in paragraph (h)(1) of this section.

(i) *Determination of actual HAP mass removal rate ( $MR_{bio}$ )*. (1) The actual HAP mass removal rate ( $MR_{bio}$ ) shall be determined based on results for a minimum of three consecutive runs. The sampling time for each run shall be at least 1 hour.

(2) The HAP mass flow entering the process ( $E_b$ ) shall be determined using the test methods and procedures specified in paragraphs (g)(2) through (g)(4) of this section.

(3) The fraction of HAP biodegraded ( $F_{bio}$ ) shall be determined using the procedure specified in 40 CFR part 63, appendix C of this part.

(4) The actual mass removal rate shall be calculated by using the HAP mass flow rates and fraction of HAP biodegraded determined in paragraphs

(i)(2) and (i)(3), respectively, of this section and the following equation:

$$MR_{\text{bio}} = E^b \times F_{\text{bio}}$$

Where:

$MR_{\text{bio}}$  = Actual HAP mass removal rate, kg/hr.

$E^b$  = HAP mass flow entering process, kg/hr.

$F_{\text{bio}}$  = Fraction of HAP biodegraded.

(j) *Determination of maximum HAP vapor pressure for off-site material in a tank.* (1) The maximum HAP vapor pressure of the off-site material composition managed in a tank shall be determined using either direct measurement as specified in paragraph (j)(2) of this section or by knowledge of the off-site material as specified by paragraph (j)(3) of this section.

(2) Direct measurement to determine the maximum HAP vapor pressure of an off-site material.

(i) *Sampling.* A sufficient number of samples shall be collected to be representative of the off-site material contained in the tank. All samples shall be collected and handled in accordance with written procedures prepared by the owner or operator and documented in a site sampling plan. This plan shall describe the procedure by which representative samples of the off-site material is collected such that a minimum loss of organics occurs throughout the sample collection and handling process and by which sample integrity is maintained. A copy of the written sampling plan shall be maintained on-site in the plant site operating records. An example of an acceptable sampling plan includes a plan incorporating sample collection and handling procedures in accordance with the requirements specified in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication No. SW-846 or Method 25D in 40 CFR part 60, appendix A.

(ii) *Analysis.* Any one of the following methods may be used to analyze the samples and compute the maximum HAP vapor pressure of the off-site material:

(A) Method 25E in 40 CFR part 60 appendix A;

(B) Methods described in American Petroleum Institute Bulletin 2517, "Evaporation Loss from External Floating Roof Tanks,";

(C) Methods obtained from standard reference texts;

(D) ASTM Method 2879-83; or

(E) Any other method approved by the Administrator.

(3) *Use of knowledge to determine the maximum HAP vapor pressure of the off-site material.* Documentation shall be prepared and recorded that presents the information used as the basis for the owner's or operator's knowledge that the maximum HAP vapor pressure of the off-site material is less than the maximum vapor pressure limit listed in Table 3, Table 4, or Table 5 of this subpart for the applicable tank design capacity category. Examples of information that may be used include: the off-site material is generated by a process for which at other locations it previously has been determined by direct measurement that the off-site material maximum HAP vapor pressure is less than the maximum vapor pressure limit for the appropriate tank design capacity category. In the event that the Administrator and the owner or operator disagree on a determination of the maximum HAP vapor pressure for an off-site material stream using knowledge, then the results from a determination of HAP vapor pressure using direct measurement as specified in paragraph (j)(2) of this section shall be used to establish compliance with the applicable requirements of this subpart. The Administrator may perform or require that the owner or operator perform this determination using direct measurement.

(k) Procedure for determining no detectable organic emissions for the purpose of complying with this subpart.

(1) The test shall be conducted in accordance with the procedures specified in Method 21 of 40 CFR part 60, appendix A. Each potential leak interface (i.e., a location where organic vapor leakage could occur) on the cover and associated closure devices shall be checked. Potential leak interfaces that are associated with covers and closure devices include, but are not limited to: the interface of the cover and its foundation mounting; the periphery of any opening on the cover and its associated closure device; and the sealing seat interface on a spring-loaded pressure-relief valve.

(2) The test shall be performed when the unit contains a material having a total organic concentration representative of the range of concentrations for the materials expected to be managed in the unit. During the test, the cover and closure devices shall be secured in the closed position.

(3) The detection instrument shall meet the performance criteria of Method 21 of 40 CFR part 60, appendix A, except the instrument response factor criteria in section 8.1.1 of Method 21 shall be for the weighted average composition of the organic constituents in the material placed in the unit at the time of monitoring, not for each individual organic constituent.

(4) The detection instrument shall be calibrated before use on each day of its use by the procedures specified in Method 21 of 40 CFR part 60, appendix A.

(5) Calibration gases shall be as follows:

- (i) Zero air (less than 10 ppmv hydrocarbon in air); and
- (ii) A mixture of methane or n-hexane in air at a concentration of approximately, but less than, 10,000 ppmv.

(6) An owner or operator may choose to adjust or not adjust the detection instrument readings to account for the background organic concentration level. If an owner or operator chooses to adjust the instrument readings for the background level, the background level value must be determined according to the procedures in Method 21 of 40 CFR part 60, appendix A.

(7) Each potential leak interface shall be checked by traversing the instrument probe around the potential leak interface as close to the interface as possible, as described in Method 21. In the case when the configuration of the cover or closure device prevents a complete traverse of the interface, all accessible portions of the interface shall be sampled. In the case when the configuration of the closure device prevents any sampling at the interface and the device is equipped with an enclosed extension or horn (e.g., some pressure relief devices), the instrument probe inlet shall be placed at approximately the center of the exhaust area to the atmosphere.

(8) An owner or operator must determine if a potential leak interface operates with no detectable emissions using the applicable procedure specified in paragraph (k)(8)(i) or (k)(8)(ii) of this section.

(i) If an owner or operator chooses not to adjust the detection instrument readings for the background organic concentration level, then the maximum organic concentration value measured by the detection instrument is compared directly to the applicable value for the potential leak interface as specified in paragraph (k)(9) of this section.

(ii) If an owner or operator chooses to adjust the detection instrument readings for the background organic concentration level, the value of the arithmetic difference between the maximum organic concentration value measured by the instrument and the background organic concentration value as determined in paragraph (k)(6) of this section is compared with the applicable value for the potential leak interface as specified in paragraph (k)(9) of this section.

(9) A potential leak interface is determined to operate with no detectable emissions using the applicable criteria specified in paragraphs (k)(9)(i) and (k)(9)(ii) of this section.

(i) For a potential leak interface other than a seal around a shaft that passes through a cover opening, the potential leak interface is determined to operate with no detectable organic emissions if the organic concentration value determined in paragraph (k)(8) is less than 500 ppmv.

(ii) For a seal around a shaft that passes through a cover opening, the potential leak interface is determined to operate with no detectable organic emissions if the organic concentration value determined in paragraph (k)(8) is less than 10,000 ppmv.

(1) *Control device performance test procedures.* Performance tests shall be based on representative performance (i.e., performance based on normal operating conditions) and shall exclude periods of startup and shutdown unless specified by the Administrator. 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.

(1) Method 1 or 1A of 40 CFR part 60, appendix A, as appropriate, shall be used for selection of the sampling sites at the inlet and outlet of the control device.

(i) To determine compliance with a control device percent reduction requirement, sampling sites shall be located at the inlet of the control device as specified in paragraphs (1)(1)(i)(A) and (1)(1)(i)(B) of this section, and at the outlet of the control device.

(A) The control device inlet sampling site shall be located after the final product recovery device.

(B) If a vent stream is introduced with the combustion air or as an auxiliary fuel into a boiler or process heater, the location of the inlet sampling sites shall be selected to ensure that the measurement of total HAP concentration or TOC concentration, as applicable, includes all vent streams and primary and secondary fuels introduced into the boiler or process heater.

(ii) To determine compliance with an enclosed combustion device concentration limit, the sampling site shall be located at the outlet of the device.

(2) The gas volumetric flow rate shall be determined using Method 2, 2A, 2C, or 2D, 2F, or 2G of 40 CFR part 60, appendix A, as appropriate.

(3) To determine compliance with the control device percent reduction requirement, the owner or operator shall use Method 18 of 40 CFR part 60, appendix A to measure the HAP in Table 1 of this subpart or Method 25A of 40 CFR part 60, appendix A to measure TOC. Method 18 may be used to measure methane and ethane, and the measured concentration may be subtracted from the Method 25A measurement. Alternatively, any other method or data that has been validated according to the applicable procedures in Method 301 in appendix A of this part may be used. The following procedures shall be used

to calculate percent reduction efficiency:

(i) A minimum of three sample runs must be performed. The minimum sampling time for each run shall be 1 hour. For Method 18, either an integrated sample or a minimum of four grab samples shall be taken. If grab sampling is used, then the samples shall be taken at approximately equal intervals in time such as 15 minute intervals during the run.

(ii) The mass rate of either TOC (minus methane and ethane) or total HAP ( $E_i$  and  $E_o$ , respectively) shall be computed.

(A) The following equations shall be used:

$$E_i = K_2 \times Q_i \times \sum_{j=1}^n (C_{ij} \times M_{ij})$$

$$E_o = K_2 \times Q_o \times \sum_{j=1}^n (C_{oj} \times M_{oj})$$

Where:

$C_{ij}$ ,  $C_{oj}$  = Concentration of sample component j of the gas stream at the inlet and outlet of the control device, respectively, dry basis, parts per million by volume.

$E_i$ ,  $E_o$  = Mass rate of TOC (minus methane and ethane) or total HAP at the inlet and outlet of the control device, respectively, dry basis, kilogram per hour.

$M_{ij}$ ,  $M_{oj}$  = Molecular weight of sample component j of the gas stream at the inlet and outlet of the control device, respectively, gram/gram-mole.

$Q_i$ ,  $Q_o$  = Flow rate of gas stream at the inlet and outlet of the control device, respectively, dry standard cubic meter per minute.

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

(B) When the TOC mass rate is calculated, the average concentration reading (minus methane and ethane) measured by Method 25A of 40 CFR part 60, appendix A shall be used in the equation in paragraph (1)(3)(ii)(A) of this section.

(C) When the total HAP mass rate is calculated, only the HAP constituents shall be summed using the equation in paragraph (1)(3)(ii)(A) of this section.

(iii) The percent reduction in TOC (minus methane and ethane) or total HAP shall be calculated as follows:

$$R_{cd} = \frac{E_i - E_o}{E_i} \times 100$$

where:

$R_{cd}$  = Control efficiency of control device, percent.

$E_i$  = Mass rate of TOC (minus methane and ethane) or total HAP at the inlet to the control device as calculated under paragraph (1)(3)(ii) of this section, kilograms TOC per hour or kilograms HAP per hour.

$E_o$  = Mass rate of TOC (minus methane and ethane) or total HAP at the outlet of the control device, as calculated under paragraph (1)(3)(ii) of this section, kilograms TOC per hour or kilograms HAP per hour.

(iv) If the vent stream entering a boiler or process heater is introduced with the combustion air or as a secondary fuel, the weight-percent reduction of total HAP or TOC (minus methane and ethane) across the device shall be determined by comparing the TOC (minus methane and ethane) or total HAP in all combusted vent streams and primary and secondary fuels with the TOC (minus methane and ethane) or total HAP exiting the device, respectively.

(4) To determine compliance with the enclosed combustion device total HAP concentration limit of this subpart, the owner or operator shall use Method 18

of 40 CFR part 60, appendix A to measure the total HAP in Table 1 of this subpart or Method 25A of 40 CFR part 60, appendix A to measure TOC. Method 18 may be used to measure methane and ethane and the measured concentration may be subtracted from the Method 25A measurement. Alternatively, any other method or data that has been validated according to Method 301 in appendix A of this part, may be used. The following procedures shall be used to calculate parts per million by volume concentration, corrected to 3 percent oxygen:

(i) A minimum of three sample runs must be performed. The minimum sampling time for each run shall be 1 hour. For Method 18, either an integrated sample or a minimum of four grab samples shall be taken. If grab sampling is used, then the samples shall be taken at approximately equal intervals in time, such as 15 minute intervals during the run.

(ii) The TOC concentration or total HAP concentration shall be calculated according to paragraph (m)(4)(ii)(A) or (m)(4)(ii)(B) of this section.

(A) The TOC concentration ( $C_{TOC}$ ) is the average concentration readings provided by Method 25 A of 40 CFR part 60, appendix A, minus the concentration of methane and ethane.

(B) The total HAP concentration ( $C_{HAP}$ ) shall be computed according to the following equation:

$$C_{HAP} = \sum_{i=1}^x \frac{\sum_{j=1}^n C_{ji}}{x}$$

where:

$C_{HAP}$  = Total concentration of HAP compounds listed in Table 1 of this subpart, dry basis, parts per million by volume.

$C_{ji}$  = Concentration of sample components  $j$  of sample  $i$ , dry basis, parts per million by volume.

$n$  = Number of components in the sample.

$x$  = Number of samples in the sample run.

(iii) The measured TOC concentration or total HAP concentration shall be corrected to 3 percent oxygen as follows:

(A) The emission rate correction factor or excess air, integrated sampling and analysis procedures of Method 3B of 40 CFR part 60, appendix A shall be used to determine the oxygen concentration (% $O_{2dry}$ ). Alternatively, the owner or operator may use Method 3A of 40 CFR part 60, appendix A to determine the oxygen concentration. The samples shall be collected during the

## Environmental Protection Agency

§ 63.695

same time that the samples are collected for determining TOC concentration or total HAP concentration.

(B) The concentration corrected to 3 percent oxygen ( $C_c$ ) shall be computed using the following equation:

$$C_c = C_m \left( \frac{17.9}{20.9 - \%O_{2\text{dry}}} \right)$$

where:

$C_c$  = TOC concentration or total HAP concentration corrected to 3 percent oxygen, dry basis, parts per million by volume.

$C_m$  = Measured TOC concentration or total HAP concentration, dry basis, parts per million by volume.

$\%O_{2\text{dry}}$  = Concentration of oxygen, dry basis, percent by volume.

(m) Determination of process vent stream flow rate and total HAP concentration.

(1) Method 1 or 1A of 40 CFR part 60, appendix A, as appropriate, must be used for selection of the sampling site.

(2) No traverse site selection method is needed for vents smaller than 0.10 meter in diameter. For vents smaller than 0.10 meter in diameter, sample at the center of the vent.

(3) Process vent stream gas volumetric flow rate must be determined using Method 2, 2A, 2C, 2D, 2F, or 2G of 40 CFR part 60, appendix A, as appropriate.

(4) Process vent stream total HAP concentration must be measured using the following procedures:

(i) Method 18 of 40 CFR part 60, appendix A, must be used to measure the total HAP concentration. Alternatively, any other method or data that has been validated according to the protocol in Method 301 of appendix A of this part may be used.

(ii) Where Method 18 of 40 CFR part 60, appendix A, is used, the following procedures must be used to calculate parts per million by volume concentration:

(A) The minimum sampling time for each run must be 1 hour in which either an integrated sample or four grab samples must be taken. If grab sampling is used, then the samples must be taken at approximately equal intervals in time, such as 15 minute intervals during the run.

(B) The total HAP concentration ( $C_{\text{HAP}}$ ) must be computed according to the following equation:

$$C_{\text{HAP}} = \frac{\sum_{i=1}^x \left( \sum_{j=1}^n C_{ji} \right)}{X}$$

Where:

$C_{\text{HAP}}$  = Total concentration of HAP compounds listed in Table 1 of this subpart, dry basis, parts per million by volume.

$C_{ji}$  = Concentration of sample component  $j$  of the sample  $i$ , dry basis, parts per million by volume.

$n$  = Number of components in the sample.

$x$  = Number of samples in the sample run.

[61 FR 34158, July 1, 1996, as amended at 64 FR 38974, July 20, 1999; 66 FR 1267, Jan. 8, 2001; 80 FR 14277, Mar. 18, 2015]

### § 63.695 Inspection and monitoring requirements.

(a) The owner or operator must install, calibrate, maintain, and operate all monitoring system components according to §§ 63.8, 63.684(e), 63.693(d)(3), (e)(3), (f)(3), (g)(3), and (h)(3), and paragraph (a)(5) of this section and perform the inspection and monitoring procedures specified in paragraphs (a)(1) through (4) of this section.

(1) To inspect tank fixed roofs and floating roofs for compliance with the Tank Level 2 controls standards specified in § 63.685 of this subpart, the inspection procedures are specified in paragraph (b) of this section.

(2) To inspect and monitor closed-vent systems for compliance with the standards specified in § 63.693 of this subpart, the inspection and monitoring procedures are specified in paragraph (c) of this section.

(3) To inspect and monitor transfer system covers for compliance with the standards specified in § 63.689(e)(1) of this subpart, the inspection and monitoring procedures are specified in paragraph (d) of this section.

(4) To monitor and record off-site material treatment processes for compliance with the standards specified in § 63.684(e), the monitoring procedures are specified in paragraph (e) of this section.

(5)(i) Except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions and required monitoring system quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator must operate the continuous monitoring system at all times the affected source is operating. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. The owner or operator is required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable.

(ii) The owner or operator may not use data recorded during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or control activities in calculations used to report emissions or operating levels. The owner or operator must use all the data collected during all other required data collection periods in assessing the operation of the control device and associated control system. The owner or operator must report any periods for which the monitoring system failed to collect required data.

(b) Tank Level 2 fixed roof and floating roof inspection requirements.

(1) Owners and operators that use a tank equipped with an internal floating roof in accordance with the provisions of § 63.685(e) of this subpart shall meet the following inspection requirements:

(i) The floating roof and its closure devices shall be visually inspected by the owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to, the internal floating roof is not floating on the surface of the liquid inside the tank; liquid has accumulated on top of the internal floating roof; any portion of the roof seals have detached from the roof rim; holes, tears, or other openings are visible in the seal fabric; the gaskets no longer close off the

waste surfaces from the atmosphere; or the slotted membrane has more than 10 percent open area.

(ii) The owner or operator shall inspect the internal floating roof components as follows except as provided for in paragraph (b)(1)(iii) of this section:

(A) Visually inspect the internal floating roof components through openings on the fixed-roof (e.g., man-holes and roof hatches) at least once every calendar year after initial fill, and

(B) Visually inspect the internal floating roof, primary seal, secondary seal (if one is in service), gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed and at least every 10 years. Prior to each inspection, the owner or operator shall notify the Administrator in accordance with the reporting requirements specified in § 63.697 of this subpart.

(iii) As an alternative to performing the inspections specified in paragraph (b)(1)(ii) of this section for an internal floating roof equipped with two continuous seals mounted one above the other, the owner or operator may visually inspect the internal floating roof, primary and secondary seals, gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed and at least every 5 years. Prior to each inspection, the owner or operator shall notify the Administrator in accordance with the reporting requirements specified in § 63.697 of this subpart.

(iv) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b)(4) of this section.

(v) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in § 63.696 of this subpart.

(2) Owners and operators that use a tank equipped with an external floating roof in accordance with the provisions of § 63.685(f) of this subpart shall meet the following requirements:

(i) The owner or operator shall measure the external floating roof seal gaps in accordance with the following requirements:

## Environmental Protection Agency

## § 63.695

(A) The owner or operator shall perform measurements of gaps between the tank wall and the primary seal within 60 days after initial operation of the tank following installation of the floating roof and, thereafter, at least once every 5 years. Prior to each inspection, the owner or operator shall notify the Administrator in accordance with the reporting requirements specified in § 63.697 of this subpart.

(B) The owner or operator shall perform measurements of gaps between the tank wall and the secondary seal within 60 days after initial operation of the separator following installation of the floating roof and, thereafter, at least once every year. Prior to each inspection, the owner or operator shall notify the Administrator in accordance with the reporting requirements specified in § 63.697 of this subpart.

(C) If a tank ceases to hold off-site material for a period of 1 year or more, subsequent introduction of off-site material into the tank shall be considered an initial operation for the purposes of paragraphs (b)(2)(i)(A) and (b)(2)(i)(B) of this section.

(D) The owner shall determine the total surface area of gaps in the primary seal and in the secondary seal individually using the following procedure.

(1) The seal gap measurements shall be performed at one or more floating roof levels when the roof is floating off the roof supports.

(2) Seal gaps, if any, shall be measured around the entire perimeter of the floating roof in each place where a 0.32-centimeter (cm) (1/8-inch) diameter uniform probe passes freely (without forcing or binding against the seal) between the seal and the wall of the tank and measure the circumferential distance of each such location.

(3) For a seal gap measured under paragraph (b)(2) of this section, the gap surface area shall be determined by using probes of various widths to measure accurately the actual distance from the tank wall to the seal and multiplying each such width by its respective circumferential distance.

(4) The total gap area shall be calculated by adding the gap surface areas determined for each identified gap location for the primary seal and the sec-

ondary seal individually, and then dividing the sum for each seal type by the nominal diameter of the tank. These total gap areas for the primary seal and secondary seal are then compared to the respective standards for the seal type as specified in § 63.685(f)(1) of this subpart.

(E) In the event that the seal gap measurements do not conform to the specifications in § 63.685(f)(1) of this subpart, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b)(4) of this section.

(F) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in § 63.696 of this subpart.

(ii) The owner or operator shall visually inspect the external floating roof in accordance with the following requirements:

(A) The floating roof and its closure devices shall be visually inspected by the owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to: holes, tears, or other openings in the rim seal or seal fabric of the floating roof; a rim seal detached from the floating roof; all or a portion of the floating roof deck being submerged below the surface of the liquid in the tank; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.

(B) The owner or operator shall perform the inspections following installation of the external floating roof and, thereafter, at least once every year.

(C) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b)(4) of this section.

(D) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in § 63.696(d) of this subpart.

(3) Owners and operators that use a tank equipped with a fixed roof in accordance with the provisions of § 63.685(g) of this subpart shall meet the following requirements:

(i) The fixed roof and its closure devices shall be visually inspected by the



owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the roof sections or between the roof and the separator wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the case when a tank is buried partially or entirely underground, inspection is required only for those portions of the cover that extend to or above the ground surface, and those connections that are on such portions of the cover (e.g., fill ports, access hatches, gauge wells, etc.) and can be opened to the atmosphere.

(ii) The owner or operator must perform an initial inspection following installation of the fixed roof. Thereafter, the owner or operator must perform the inspections at least once every calendar year except as provided for in paragraph (f) of this section.

(iii) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (b)(4) of this section.

(iv) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in § 63.696(e) of this subpart.

(4) The owner or operator shall repair each defect detected during an inspection performed in accordance with the requirements of paragraph (b)(1), (b)(2), or (b)(3) of this section in the following manner:

(i) The owner or operator shall within 45 calendar days of detecting the defect either repair the defect or empty the tank and remove it from service. If within this 45-day period the defect cannot be repaired or the tank cannot be removed from service without disrupting operations at the plant site, the owner or operator is allowed two 30-day extensions. In cases when an owner or operator elects to use a 30-day extension, the owner or operator shall prepare and maintain documentation describing the defect, explaining why alternative storage capacity is not available, and specify a schedule of actions that will ensure that the control equipment will be repaired or the tank emptied as soon as possible.

(ii) When a defect is detected during an inspection of a tank that has been emptied and degassed, the owner or operator shall repair the defect before refilling the tank.

(c) Owners and operators that use a closed-vent system in accordance with the provisions of § 63.693 of this subpart shall meet the following inspection and monitoring requirements:

(1) Each closed-vent system that is used to comply with § 63.693(c)(1)(i) of this subpart shall be inspected and monitored in accordance with the following requirements:

(i) At initial startup, the owner or operator shall monitor the closed-vent system components and connections using the procedures specified in § 63.694(k) of this subpart to demonstrate that the closed-vent system operates with no detectable organic emissions.

(ii) After initial startup, the owner or operator shall inspect and monitor the closed-vent system as follows:

(A) Closed-vent system joints, seams, or other connections that are permanently or semi-permanently sealed (e.g., a welded joint between two sections of hard piping or a bolted and gasketed ducting flange) shall be visually inspected at least once per year to check for defects that could result in air emissions. The owner or operator shall monitor a component or connection using the procedures specified in § 63.694(k) of this subpart to demonstrate that it operates with no detectable organic emissions following any time the component is repaired or replaced (e.g., a section of damaged hard piping is replaced with new hard piping) or the connection is unsealed (e.g., a flange is unbolted).

(B) Closed-vent system components or connections other than those specified in paragraph (c)(1)(ii)(A) of this section, shall be monitored at least once per year using the procedures specified in § 63.694(k) of this subpart to demonstrate that components or connections operate with no detectable organic emissions.

(C) The continuous monitoring system required by § 63.693(b)(4)(i) shall monitor and record either an instantaneous data value at least once every 15

minutes or an average value for intervals of 15 minutes or less.

(D) The owner or operator shall visually inspect the seal or closure mechanism required by § 63.693(c)(2)(ii) at least once every month to verify that the bypass mechanism is maintained in the closed position.

(iii) In the event that a defect or leak is detected, the owner or operator shall repair the defect or leak in accordance with the requirements of paragraph (c)(3) of this section.

(iv) The owner or operator shall maintain a record of the inspection and monitoring in accordance with the requirements specified in § 63.696 of this subpart.

(2) Each closed-vent system that is used to comply with § 63.693(c)(1)(ii) of this subpart shall be inspected and monitored in accordance with the following requirements:

(i) The closed-vent system shall be visually inspected by the owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in ductwork or piping; loose connections; or broken or missing caps or other closure devices.

(ii) The owner or operator must perform an initial inspection following installation of the closed-vent system. Thereafter, the owner or operator must perform the inspections at least once every calendar year except as provided for in paragraph (f) of this section.

(iii) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (c)(3) of this section.

(iv) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in § 63.696 of this subpart.

(3) The owner or operator shall repair all detected defects as follows:

(i) The owner or operator shall make first efforts at repair of the defect no later than 5 calendar days after detection and repair shall be completed as soon as possible but no later than 45 calendar days after detection.

(ii) Repair of a defect may be delayed beyond 45 calendar days if either of the conditions specified in paragraph (c)(3)(ii)(A) or (c)(3)(ii)(B) occurs. In

this case, the owner or operator must repair the defect the next time the process or unit that vents to the closed-vent system is shutdown. Repair of the defect must be completed before the process or unit resumes operation.

(A) Completion of the repair is technically infeasible without the shutdown of the process or unit that vents to the closed-vent system.

(B) The owner or operator determines that the air emissions resulting from the repair of the defect within the specified period would be greater than the fugitive emissions likely to result by delaying the repair until the next time the process or unit that vents to the closed-vent system is shutdown.

(iii) The owner or operator shall maintain a record of the defect repair in accordance with the requirements specified in § 63.696 of this subpart.

(d) Owners and operators that use a transfer system equipped with a cover in accordance with the provisions of § 63.689(c)(1) of this subpart shall meet the following inspection requirements:

(1) The cover and its closure devices shall be visually inspected by the owner or operator to check for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the cover sections or between the cover and its mounting; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the case when a transfer system is buried partially or entirely underground, inspection is required only for those portions of the cover that extend to or above the ground surface, and those connections that are on such portions of the cover (e.g., access hatches, etc.) and can be opened to the atmosphere.

(2) The owner or operator must perform an initial inspection following installation of the cover. Thereafter, the owner or operator must perform the inspections at least once every calendar year except as provided for in paragraph (f) of this section.

(3) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of paragraph (d)(5) of this section.

(4) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in § 63.696 of this subpart.

(5) The owner or operator shall repair all detected defects as follows:

(i) The owner or operator shall make first efforts at repair of the defect no later than 5 calendar days after detection and repair shall be completed as soon as possible but no later than 45 calendar days after detection except as provided in paragraph (d)(5)(ii) of this section.

(ii) Repair of a defect may be delayed beyond 45 calendar days if the owner or operator determines that repair of the defect requires emptying or temporary removal from service of the transfer system and no alternative transfer system is available at the site to accept the material normally handled by the system. In this case, the owner or operator shall repair the defect the next time the process or unit that is generating the material handled by the transfer system stops operation. Repair of the defect must be completed before the process or unit resumes operation.

(iii) The owner or operator shall maintain a record of the defect repair in accordance with the requirements specified in § 63.696 of this subpart.

(e) *Control device monitoring requirements.* For each control device required under § 63.693 to be monitored in accordance with the provisions of this paragraph (e), the owner or operator must ensure that each control device operates properly by monitoring the control device in accordance with the requirements specified in paragraphs (e)(1) through (5) of this section.

(1) A continuous parameter monitoring system must be used to measure the operating parameter or parameters specified for the control device in § 63.693(d) through § 63.693(g) of this subpart as applicable to the type and design of the control device. The continuous parameter monitoring system must meet the following specifications and requirements:

(i) The continuous parameter monitoring system must measure either an instantaneous value at least once every 15 minutes or an average value for intervals of 15 minutes or less and continuously record either:

(A) Each measured data value; or

(B) Each block average value for each 1-hour period 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) block average instead of all measured values.

(ii) The monitoring system must be installed, calibrated, operated, and maintained in accordance with the manufacturer's specifications or other written procedures that provide reasonable assurance that the monitoring equipment is operating properly.

(2) Using the data recorded by the monitoring system, the owner or operator must calculate the daily average value for each monitored operating parameter for each operating day. If operation of the control device is continuous, the operating day is a 24-hour period. If control device operation is not continuous, the operating day is the total number of hours of control device operation per 24-hour period. Valid data points must be available for 75 percent of the operating hours in an operating day to compute the daily average.

(3) For each monitored operating parameter, the owner or operator must establish a minimum operating parameter value or a maximum operating parameter value, as appropriate, to define the range of conditions at which the control device must be operated to continuously achieve the applicable performance requirements specified in § 63.693(b)(2) of this subpart. Each minimum or maximum operating parameter value must be established in accordance with the requirements in paragraphs (e)(3)(i) and (e)(3)(ii) of this section.

(i) If the owner or operator conducts a performance test to demonstrate control device performance, then the minimum or maximum operating parameter value must be established based on values measured during the performance test and supplemented, as necessary, by the control device design specifications, manufacturer recommendations, or other applicable information.

(ii) If the owner or operator uses a control device design analysis to demonstrate control device performance, then the minimum or maximum operating parameter value must be established based on the control device design analysis and supplemented, as necessary, by the control device manufacturer recommendations or other applicable information.

(4) A deviation for a given control device is determined to have occurred when the monitoring data or lack of monitoring data result in any one of the criteria specified in paragraphs (e)(4)(i) through (iii) of this section being met. When multiple operating parameters are monitored for the same control device and during the same operating day more than one of these operating parameters meets a deviation criterion specified in paragraphs (e)(4)(i) through (iii) of this section, then a single deviation is determined to have occurred for the control device for that operating day.

(i) A deviation occurs when the daily average value of a monitored operating parameter is less than the minimum operating parameter limit (or, if applicable, greater than the maximum operating parameter limit) established for the operating parameter in accordance with the requirements of paragraph (e)(3) of this section.

(ii) A deviation occurs when the period of control device operation is 4 hours or greater in an operating day and the monitoring data are insufficient to constitute a valid hour of data for at least 75 percent of the operating hours. Monitoring data are insufficient to constitute a valid hour of data if measured values are unavailable for any of the 15-minute periods within the hour.

(iii) A deviation occurs when the period of control device operation is less than 4 hours in an operating day and more than 1 of the hours during the period does not constitute a valid hour of data due to insufficient monitoring data. Monitoring data are insufficient to constitute a valid hour of data if measured values are unavailable for any of the 15-minute periods within the hour.

(5) For each deviation, except when the deviation occurs during periods of

non-operation of the unit or the process that is vented to the control device (resulting in cessation of HAP emissions to which the monitoring applies), the owner or operator shall be deemed to have failed to have applied control in a manner that achieves the required operating parameter limits. Failure to achieve the required operating parameter limits is a violation of this standard.

(f) *Alternative inspection and monitoring interval.* Following the initial inspection and monitoring of a piece of air pollution control equipment in accordance with the applicable provisions of this section, subsequent inspection and monitoring of the equipment may be performed at intervals longer than 1 year when an owner or operator determines that performing the required inspection or monitoring procedures would expose a worker to dangerous, hazardous, or otherwise unsafe conditions and the owner or operator complies with the requirements specified in paragraphs (f)(1) and (f)(2) of this section.

(1) The owner or operator must prepare and maintain at the plant site written documentation identifying the specific air pollution control equipment designated as "unsafe to inspect and monitor." The documentation must include for each piece of air pollution control equipment designated as such a written explanation of the reasons why the equipment is unsafe to inspect or monitor using the applicable procedures under this section.

(2) The owner or operator must develop and implement a written plan and schedule to inspect and monitor the air pollution control equipment using the applicable procedures specified in this section during times when a worker can safely access the air pollution control equipment. The required inspections and monitoring must be performed as frequently as practicable but do not need to be performed more frequently than the periodic schedule that would be otherwise applicable to the air pollution control equipment under the provisions of this section. A

copy of the written plan and schedule must be maintained at the plant site.

[64 FR 38977, July 20, 1999, as amended at 68 FR 37352, June 23, 2003; 71 FR 20457, Apr. 20, 2006; 80 FR 14278, Mar. 18, 2015]

**§ 63.696 Recordkeeping requirements.**

(a) The owner or operator subject to this subpart shall comply with the recordkeeping requirements in § 63.10 under 40 CFR 63 subpart A—General Provisions that are applicable to this subpart as specified in Table 2 of this subpart.

(b) The owner or operator of a control device subject to this subpart shall maintain the records in accordance with the requirements of 40 CFR 63.10 of this part.

(c) [Reserved]

(d) Each owner or operator using an internal floating roof to comply with the tank control requirements specified in § 63.685(e) of this subpart or using an external floating roof to comply with the tank control requirements specified in § 63.685(f) of this subpart shall prepare and maintain the following records:

(1) Documentation describing the floating roof design and the dimensions of the tank.

(2) A record for each inspection required by § 63.695(b) of this subpart, as applicable to the tank, that includes the following information: a tank identification number (or other unique identification description as selected by the owner or operator) and the date of inspection.

(3) The owner or operator shall record for each defect detected during inspections required by § 63.695(b) of this subpart the following information: the location of the defect, a description of the defect, the date of detection, and corrective action taken to repair the defect. In the event that repair of the defect is delayed in accordance with the provisions of § 63.695(b)(4) of this section, the owner or operator shall also record the reason for the delay and the date that completion of repair of the defect is expected.

(4) Owners and operators that use a tank equipped with an external floating roof in accordance with the provisions of § 63.685(f) of this subpart shall prepare and maintain records for each

seal gap inspection required by § 63.695(b) describing the results of the seal gap measurements. The records shall include the date of that the measurements are performed, the raw data obtained for the measurements, and the calculations of the total gap surface area. In the event that the seal gap measurements do not conform to the specifications in § 63.695(b) of this subpart, the records shall include a description of the repairs that were made, the date the repairs were made, and the date the separator was emptied, if necessary.

(e) Each owner or operator using a fixed roof to comply with the tank control requirements specified in § 63.685(g) of this subpart shall prepare and maintain the following records:

(1) A record for each inspection required by § 63.695(b) of this subpart, as applicable to the tank, that includes the following information: a tank identification number (or other unique identification description as selected by the owner or operator) and the date of inspection.

(2) The owner or operator shall record for each defect detected during inspections required by § 63.695(b) of this subpart the following information: the location of the defect, a description of the defect, the date of detection, and corrective action taken to repair the defect. In the event that repair of the defect is delayed in accordance with the provisions of § 63.695(b)(4) of this section, the owner or operator shall also record the reason for the delay and the date that completion of repair of the defect is expected.

(f) Each owner or operator using an enclosure to comply with the tank control requirements specified in § 63.685(i) of this subpart shall prepare and maintain records for the most recent set of calculations and measurements performed by the owner or operator to verify that the enclosure meets the criteria of a permanent total enclosure as specified in “Procedure T—Criteria for and Verification of a Permanent or Temporary Total Enclosure” under 40 CFR 52.741, appendix B.

(g) An owner or operator shall record, on a semiannual basis, the information specified in paragraphs (g)(1) and (g)(2)

of this section for those planned routine maintenance operations that would require the control device not to meet the requirements of § 63.693(d) through (h) of this subpart, as applicable.

(1) 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.

(2) 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 § 63.693 (d) through (h) of this subpart, as applicable, due to planned routine maintenance.

(h) An owner or operator shall record the malfunction information specified in paragraphs (h)(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 the 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 volume 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 § 63.683(e) and any corrective actions taken to return the affected unit to its normal or usual manner of operation.

(i) For pressure relief devices in off-site material service, keep records of the information specified in paragraphs (i)(1) through (5) of this section, as applicable.

(1) A list of identification numbers for pressure relief devices that the owner or operator elects to route emissions through a closed-vent system to a control device, process or drain system under the provisions in § 63.691(c)(4).

(2) A list of identification numbers for pressure relief devices that do not

consist of or include a rupture disk, subject to the provisions in § 63.691(c)(2)(i).

(3) A list of identification numbers for pressure relief devices equipped with rupture disks, subject to the provisions in § 63.691(c)(2)(ii).

(4) The dates and results of the Method 21 of 40 CFR part 60, appendix A, monitoring following a pressure release for each pressure relief device subject to the provisions in § 63.691(c)(2)(i). The results of each monitoring event shall include:

(i) The measured background level.

(ii) The maximum instrument reading measured at each pressure relief device.

(5) For pressure relief devices in off-site material service subject to § 63.691(c)(3), keep records of each pressure release to the atmosphere, including the following information:

(i) The source, nature, and cause of the pressure release.

(ii) The date, time, and duration of the pressure release.

(iii) An estimate of the quantity of HAP listed in Table 1 of this subpart emitted during the pressure release and the calculations used for determining this quantity.

(iv) The actions taken to prevent this pressure release.

(v) The measures adopted to prevent future such pressure releases.

(j) (1) For pressure tank closure devices, as specified in § 63.685(h)(2), keep records of each release to the atmosphere, including the information specified in paragraphs (j)(3) through (7) of this section.

(2) For each closed vent system that includes bypass devices that could divert a stream away from the control device and into the atmosphere, as specified in § 63.693(c)(2), and each open-ended valve or line in an emergency shutdown system which is designed to open automatically in the event of a process upset, as specified in § 63.167(d) or 40 CFR 61.242-6(d), keep records of each release to the atmosphere, including the information specified in paragraphs (j)(3) through (9) of this section.

(3) The source, nature, and cause of the release.

(4) The date, time, and duration of the release.

(5) An estimate of the quantity of HAP listed in Table 1 of this subpart emitted during the release and the calculations used for determining this quantity.

(6) The actions taken to prevent this release.

(7) The measures adopted to prevent future such release.

(8) Hourly records of whether the bypass flow indicator specified under § 63.693(c)(2) was operating and whether a diversion was detected at any time during the hour, as well as records of the times of all periods when the vent stream is diverted from the control device or the flow indicator is not operating.

(9) Where a seal mechanism is used to comply with § 63.693(c)(2), hourly records of flow are not required. In such cases, the owner or operator shall record that the monthly visual inspection of the seals or closure mechanism has been done, and shall record the duration of all periods when the seal mechanism is broken, the bypass line valve position has changed, or the key for a lock-and-key type lock has been checked out, and records of any car-seal that has broken.

[61 FR 34158, July 1, 1996, as amended at 80 FR 14279, Mar. 18, 2015]

#### § 63.697 Reporting requirements.

(a) Each owner or operator of an affected source subject to this subpart must comply with the notification requirements specified in paragraph (a)(1) of this section and the reporting requirements specified in paragraphs (a)(2) and (3) of this section.

(1) The owner or operator of an affected source must submit notices to the Administrator in accordance with the applicable notification requirements in 40 CFR 63.9 as specified in Table 2 of this subpart. For the purpose of this subpart, an owner or operator subject to the initial notification requirements under 40 CFR 63.9(b)(2) must submit the required notification on or before October 19, 1999.

(i) For pressure relief devices in off-site material service subject to the requirements of § 63.691(c), the owner or operator must submit the information listed in paragraph (a)(1)(ii) of this section in the notification of compliance

status required under § 63.9(h) within 150 days after the first applicable compliance date for pressure relief device monitoring.

(ii) For pressure relief devices in off-site material 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), a description of the alarms or other methods by which operators will be notified of a pressure release, and a description of how the owner or operator will determine the information to be recorded under § 63.696(i)(5)(ii) through (iii) (*i.e.*, the duration of the pressure release and the methodology and calculations for determining the quantity of HAP listed in Table 1 of this subpart emitted during the pressure release).

(2) The owner or operator of an affected source must submit reports to the Administrator in accordance with the applicable reporting requirements in 40 CFR 63.10 as specified in Table 2 of this subpart.

(3) *Electronic reporting.* Within 60 days after the date of completing each performance test (as defined in § 63.2) required by this subpart, the owner or operator must submit the results of the performance test according to the manner specified by either paragraph (a)(3)(i) or (ii) of this section.

(i) For data collected using test methods supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT Web site (<http://www.epa.gov/ttn/chief/ert/index.html>), the owner or operator must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI) accessed through the EPA's Central Data Exchange (CDX) ([http://cdx.epa.gov/epa\\_home.asp](http://cdx.epa.gov/epa_home.asp)). Performance test data must be submitted in a file format generated through the use of the EPA's ERT. Owners or operators who claim that some of the performance test information being submitted is confidential business information (CBI) must submit a complete file generated through the use of the EPA's ERT, including 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: Group Leader, Measurement Policy Group, MD C404-02, 4930 Old Page Road, Durham, NC 27703. The same ERT file with the CBI omitted must be submitted to the EPA via the EPA's CDX as described earlier in this paragraph (a)(3)(i).

(ii) For data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT Web site, the owner or operator must submit the results of the performance test to the Administrator at the appropriate address listed in 40 CFR 60.4.

(b) The owner or operator of a control device used to meet the requirements of § 63.693 of this subpart shall submit the following notifications and reports to the Administrator:

(1) A Notification of Performance Tests specified in § 63.7 and § 63.9(g) of this part,

(2) Performance test reports specified in § 63.10(d)(2) of this part, and

(3) *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 volume of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions.

(4) A summary report specified in § 63.10(e)(3) shall be submitted on a semiannual basis (*i.e.*, once every 6-month period). The summary report must include a description of all deviations as defined in §§ 63.683(f) and 63.695(e) that have occurred during the 6-month reporting period. For each deviation caused when the daily average value of a monitored operating parameter is less than the minimum operating parameter limit (or, if applicable, greater than the maximum operating parameter limit), the report must include the daily average values of the monitored parameter, the applicable operating parameter limit, and the date and duration of the period that

the deviation occurred. For each deviation caused by lack of monitoring data, the report must include the date and duration of period when the monitoring data were not collected and the reason why the data were not collected.

(5) For pressure relief devices in off-site material service subject to § 63.691(c), Periodic Reports must include the information specified in paragraphs (b)(5)(i) through (iii) of this section.

(i) For pressure relief devices in off-site material service subject to § 63.691(c), report the results of all monitoring conducted within the reporting period.

(ii) For pressure relief devices in gas/vapor service subject to § 63.691(c)(2)(i), report any instrument reading of 500 ppm above background or greater, if detected more than 5 days after the pressure release.

(iii) For pressure relief devices in off-site material service subject to § 63.691(c)(3), 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 HAP listed in Table 1 of this subpart 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.

(6) *Pressure tank closure device or bypass deviation report.* The owner or operator must submit to the Administrator the information specified in paragraph (b)(6)(iv) of this section when any of the conditions in paragraphs (b)(6)(i) through (iii) of this section are met.

(i) Any pressure tank closure device, as specified in § 63.685(h)(2), has released to the atmosphere.

(ii) Any closed vent system that includes bypass devices that could divert a vent a stream away from the control device and into the atmosphere, as specified in § 63.693(c)(2), has released directly to the atmosphere.



(iii) Any open-ended valve or line in an emergency shutdown system which is designed to open automatically in the event of a process upset, as specified in § 63.167(d) or 40 CFR 61.242-6(d), has released directly to the atmosphere.

(iv) The pressure tank closure device or bypass deviation report must include the information specified in paragraphs (b)(6)(iv)(A) through (E) of this section.

(A) The source, nature and cause of the release.

(B) The date, time and duration of the discharge.

(C) An estimate of the quantity of HAP listed in Table 1 of this subpart emitted during the release and the method used for determining this quantity.

(D) The actions taken to prevent this release.

(E) The measures adopted to prevent future such releases.

(c) Each owner or operator using an internal floating roof or external floating roof to comply with the Tank Level 2 control requirements specified in § 63.685(d) of this subpart shall notify the Administrator in advance of each inspection required under § 63.695(b) of this subpart to provide the Administrator with the opportunity to have an observer present during the inspection. The owner or operator shall notify the Administrator of the date and location of the inspection as follows:

(1) Prior to each inspection to measure external floating roof seal gaps as required under § 63.695(b) of this subpart, written notification shall be prepared and sent by the owner or operator so that it is received by the Administrator at least 30 calendar days before the date the measurements are scheduled to be performed.

(2) Prior to each visual inspection of an internal floating roof or external floating roof in a tank that has been emptied and degassed, written notification shall be prepared and sent by the owner or operator so that it is received by the Administrator at least 30 calendar days before refilling the tank except when an inspection is not planned as provided for in paragraph (c)(3) of this section.

(3) When a visual inspection is not planned and the owner or operator could not have known about the inspection 30 calendar days before refilling the tank, the owner or operator shall notify the Administrator as soon as possible, but no later than 7 calendar days before refilling of the tank. This notification may be made by telephone and immediately followed by a written explanation for why the inspection is unplanned. Alternatively, written notification, including the explanation for the unplanned inspection, may be sent so that it is received by the Administrator at least 7 calendar days before refilling the tank.

[61 FR 34158, July 1, 1996, as amended at 64 FR 38981, July 20, 1999; 80 FR 14279, Mar. 18, 2015]

**§ 63.698 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 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 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 (5) of this section.

(1) Approval of alternatives to the requirements in §§ 63.680, 63.683 through 63.691, and 63.693. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and

Environmental Protection Agency

Pt. 63, Subpt. DD, Table 1

(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.

(5) Approval of alternatives to the electronic reporting requirements in §63.697(a)(3).

[68 FR 37352, June 23, 2003, as amended at 80 FR 14280, Mar. 18, 2015]

TABLE 1 TO SUBPART DD OF PART 63—LIST OF HAZARDOUS AIR POLLUTANTS (HAP) FOR SUBPART DD

CAS No. <sup>a</sup>	Chemical name	f <sub>m</sub> 305
75-07-0	Acetaldehyde	1.000
75-05-8	Acetonitrile	0.989
98-86-2	Acetophenone	0.314
107-02-8	Acrolein	1.000
107-13-1	Acrylonitrile	0.999
107-05-1	Allyl chloride	1.000
71-43-2	Benzene (includes benzene in gasoline)	1.000
98-07-7	Benzotrichloride (isomers and mixture)	0.958
100-44-7	Benzyl chloride	1.000
92-52-4	Biphenyl	0.864
542-88-1	Bis(chloromethyl)ether <sup>b</sup>	0.999
75-25-2	Bromoform	0.898
106-99-0	1,3-Butadiene	1.000
75-15-0	Carbon disulfide	1.000
56-23-5	Carbon tetrachloride	1.000
43-58-1	Carbonyl sulfide	1.000
133-90-4	Chloramben	0.633
108-90-7	Chlorobenzene	1.000
67-66-3	Chloroform	1.000
107-30-2	Chloromethyl methyl ether <sup>b</sup>	1.000
126-99-8	Chloroprene	1.000
98-82-8	Cumene	1.000
94-75-7	2,4-D, salts and esters	0.167
334-88-3	Diazomethane <sup>c</sup>	0.999
132-64-9	Dibenzofurans	0.967
96-12-8	1,2-Dibromo-3-chloropropane	1.000
106-46-7	1,4-Dichlorobenzene(p)	1.000
107-06-2	Dichloroethane (Ethylene dichloride)	1.000
111-44-4	Dichloroethyl ether (Bis(2-chloroethyl ether))	0.757
542-75-6	1,3-Dichloropropene	1.000
79-44-7	Dimethyl carbamoyl chloride <sup>c</sup>	0.150
64-67-5	Diethyl sulfate	0.0025
77-78-1	Dimethyl sulfate	0.086
121-69-7	N,N-Dimethylaniline	0.0008
51-28-5	2,4-Dinitrophenol	0.0077
121-14-2	2,4-Dinitrotoluene	0.0848
123-91-1	1,4-Dioxane (1,4-Diethyleneoxide)	0.869
106-89-8	Epichlorohydrin (1-Chloro-2,3-epoxypropane)	0.939
106-88-7	1,2-Epoxybutane	1.000
140-88-5	Ethyl acrylate	1.000
100-41-4	Ethyl benzene	1.000
75-00-3	Ethyl chloride (Chloroethane)	1.000
106-93-4	Ethylene dibromide (Dibromoethane)	0.999
107-06-2	Ethylene dichloride (1,2-Dichloroethane)	1.000
151-56-4	Ethylene imine (Aziridine)	0.867
75-21-8	Ethylene oxide	1.000
75-34-3	Ethylidene dichloride (1,1-Dichloroethane)	1.000
	Glycol ethers <sup>a</sup> that have a Henry's Law constant value equal to or greater than 0.1 Y/X (1.8 × 10 <sup>-6</sup> atm/gm-mole/m <sup>3</sup> ) at 25 °C.	(c)
118-74-1	Hexachlorobenzene	0.97
87-68-3	Hexachlorobutadiene	0.88
67-72-1	Hexachloroethane	0.499
110-54-3	Hexane	1.000
78-59-1	Isophorone	0.506
58-89-9	Lindane (all isomers)	1.000
67-56-1	Methanol	0.855
74-83-9	Methyl bromide (Bromomethane)	1.000
74-87-3	Methyl chloride (Chloromethane)	1.000
71-55-5	Methyl chloroform (1,1,1-Trichloroethane)	1.000

CAS No. <sup>a</sup>	Chemical name	f <sub>m</sub> 305
78-93-3	Methyl ethyl ketone (2-Butanone)	0.990
74-88-4	Methyl iodide (Iodomethane)	1.0001
108-10-1	Methyl isobutyl ketone (Hexone)	0.9796
624-83-9	Methyl isocyanate	1.000
80-62-5	Methyl methacrylate	0.916
1634-04-4	Methyl tert butyl ether	1.000
75-09-2	Methylene chloride (Dichloromethane)	1.000
91-20-3	Naphthalene	0.994
98-95-3	Nitrobenzene	0.394
79-46-3	2-Nitropropane	0.989
82-68-8	Pentachloronitrobenzene (Quintobenzene)	0.839
87-86-5	Pentachlorophenol	0.0898
75-44-5	Phosgene <sup>c</sup>	1.000
123-38-6	Propionaldehyde	0.999
78-87-5	Propylene dichloride (1,2-Dichloropropane)	1.000
75-56-9	Propylene oxide	1.000
75-55-8	1,2-Propylenimine (2-Methyl aziridine)	0.945
100-42-5	Styrene	1.000
96-09-3	Styrene oxide	0.830
79-34-5	1,1,2,2-Tetrachloroethane	0.999
127-18-4	Tetrachloroethylene (Perchloroethylene)	1.000
108-88-3	Toluene	1.000
95-53-4	o-Toluidine	0.152
120-82-1	1,2,4-Trichlorobenzene	1.000
71-55-6	1,1,1-Trichloroethane (Methyl chlorform)	1.000
79-00-5	1,1,2-Trichloroethane (Vinyl trichloride)	1.000
79-01-6	Trichloroethylene	1.000
95-95-4	2,4,5-Trichlorophenol	0.108
88-06-2	2,4,6-Trichlorophenol	0.132
121-44-8	Triethylamine	1.000
540-84-1	2,2,4-Trimethylpentane	1.000
108-05-4	Vinyl acetate	1.000
583-60-2	Vinyl bromide	1.000
75-01-4	Vinyl chloride	1.000
75-35-4	Vinylidene chloride (1,1-Dichloroethylene)	1.000
1330-20-7	Xylenes (isomers and mixture)	1.000
95-47-3	o-Xylenes	1.000
108-38-3	m-Xylenes	1.000
106-42-3	p-Xylenes	1.000

NOTES:  
 f<sub>m</sub> 305 = Method 305 fraction measure factor.  
 a. CAS numbers refer to the Chemical Abstracts Services registry number assigned to specific compounds, isomers, or mixtures of compounds.  
 b. Denotes a HAP that hydrolyzes quickly in water, but the hydrolysis products are also HAP chemicals.  
 c. Denotes a HAP that may react violently with water, exercise caustic is an expected analyte.  
 d. Denotes a HAP that hydrolyzes slowly in water.  
 e. The f<sub>m</sub> 305 factors for some of the more common glycol ethers can be obtained by contacting the Waste and Chemical Processes Group, Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711.

[64 FR 38981, July 20, 1999]

TABLE 2 TO SUBPART DD OF PART 63—APPLICABILITY OF PARAGRAPHS IN SUBPART A OF THIS PART 63—GENERAL PROVISIONS TO SUBPART DD

Subpart A reference	Applies to Subpart DD	Explanation
63.1(a)(1)	Yes	Subpart DD (this table) specifies applicability of each paragraph in subpart A to subpart DD.
63.1(a)(2)	Yes	
63.1(a)(3)	Yes	
63.1(a)(4)	No	
63.1(a)(5)–63.1(a)(9)	No	Subpart DD specifies its own applicability.
63.1(a)(10)	Yes	
63.1(a)(11)	Yes	
63.1(a)(12)	Yes	
63.1(b)(1)	No	Subpart DD explicitly specifies requirements that apply.
63.1(b)(2)	No	
63.1(b)(3)	No	
63.1(c)(1)	No	Area sources are not subject to subpart DD.
63.1(c)(2)	No	
63.1(c)(3)	No	
63.1(c)(4)	No	
63.1(c)(5)	Yes	
		Reserved.
		Reserved.
		Except that sources are not required to submit notifications overridden by this table.

Environmental Protection Agency

Pt. 63, Subpt. DD, Table 2

Subpart A reference	Applies to Subpart DD	Explanation
63.1(d) .....	No	
63.1(e) .....	No	
63.2 .....	Yes	§ 63.681 of subpart DD specifies that if the same term is defined in subparts A and DD, it shall have the meaning given in subpart DD.
63.3 .....	Yes	
63.4(a)(1)–63.4(a)(2) .....	Yes	
63.4(a)(3) .....	No	Reserved.
63.4(a)(4) .....	No	Reserved.
63.4(a)(5) .....	No	Reserved.
63.4(b) .....	Yes	
63.4(c) .....	Yes	
63.5(a)(1) .....	Yes	
63.5(a)(2) .....	Yes	
63.5(b)(1) .....	Yes	
63.5(b)(2) .....	No	Reserved.
63.5(b)(3) .....	Yes	
63.5(b)(4) .....	Yes	Except the cross-reference to § 63.9(b) is changed to § 63.9(b)(4) and (5). Subpart DD overrides § 63.9(b)(2) and (b)(3).
63.5(b)(5) .....	No	Reserved.
63.5(b)(6) .....	Yes	
63.5(c) .....	No	Reserved.
63.5(d)(1)(i) .....	Yes	
63.5(d)(1)(ii) .....	Yes	
63.5(d)(1)(iii) .....	Yes	
63.5(d)(2) .....	No	
63.5(d)(3) .....	Yes	
63.5(d)(4) .....	Yes	
63.5(e) .....	Yes	
63.5(f)(1) .....	Yes	
63.5(f)(2) .....	Yes	
63.6(a) .....	Yes	
63.6(b)(1) .....	No	Subpart DD specifies compliance dates for sources subject to subpart DD.
63.6(b)(2) .....	No	
63.6(b)(3) .....	No	
63.6(b)(4) .....	No	
63.6(b)(5) .....	No	§ 63.697 of subpart DD includes notification requirements.
63.6(b)(6) .....	No	
63.6(b)(7) .....	No	
63.6(c)(1) .....	No	§ 63.680 of subpart DD specifies the compliance date.
63.6(c)(2)–63.6(c)(4) .....	No	
63.6(c)(5) .....	Yes	
63.6(d) .....	No	
63.6(e)(1)(i) .....	No	See § 63.683(e) for general duty requirement.
63.6(e)(1)(ii) .....	No	
63.6(e)(1)(iii) .....	Yes	
63.6(e)(2) .....	No	Reserved.
63.6(e)(3) .....	No	
63.6(f)(1) .....	No	
63.6(f)(2)(i) .....	Yes	
63.6(f)(2)(ii) .....	Yes	Subpart DD specifies the use of monitoring data in determining compliance with subpart DD.
63.6(f)(2)(iii) (A), (B), and (C) ..	Yes	
63.6(f)(2)(iii) (D) .....	No	
63.6(f)(2)(iv) .....	Yes	
63.6(f)(2)(v) .....	Yes	
63.6(f)(3) .....	Yes	
63.6(g) .....	Yes	
63.6(h) .....	No	Subpart DD does not require opacity and visible emission standards. Except for § 63.6(j)(15), which is reserved.
63.6(i) .....	Yes	
63.6(j) .....	Yes	
63.7(a)(1) .....	No	Subpart DD specifies required testing and compliance demonstration procedures.
63.7(a)(2) .....	Yes	
63.7(a)(3) .....	Yes	
63.7(a)(4) .....	Yes	
63.7(b) .....	Yes	
63.7(c) .....	Yes	
63.7(d) .....	Yes	
63.7(e)(1) .....	No	See § 63.694(i).
63.7(e)(2) .....	Yes	

Pf. 63, Subpt. DD, Table 2

40 CFR Ch. I (7-1-17 Edition)

Subpart A reference	Applies to Subpart DD	Explanation
63.7(e)(3)	No	Subpart DD specifies test methods and procedures.
63.7(e)(4)	Yes	
63.7(f)	Yes	
63.7(g)	Yes	
63.7(h)(1)	Yes	
63.7(h)(2)	Yes	
63.7(h)(3)	Yes	
63.7(h)(4)	No	
63.7(h)(5)	Yes	
63.8(a)	No	
63.8(b)(1)	Yes	
63.8(b)(2)	No	
63.8(b)(3)	Yes	
63.8(c)(1)(i)	Yes	
63.8(c)(1)(ii)	Yes	
63.8(c)(1)(iii)	No	
63.8(c)(2)	Yes	
63.8(c)(3)	Yes	
63.8(c)(4)	No	Subpart DD specifies monitoring frequency
63.8(c)(5)–63.8(c)(8)	No	
63.8(d)	No	
63.8(e)	No	
63.8(f)(1)	Yes	
63.8(f)(2)	Yes	
63.8(f)(3)	Yes	
63.8(f)(4)(i)	Yes	
63.8(f)(4)(ii)	Yes	
63.8(f)(4)(iii)	No	
63.8(f)(5)(i)	Yes	See § 63.696(h) for recordkeeping of (1) date, time and duration; (2) listing of affected source or equipment, and an estimate of the volume of each regulated pollutant emitted over the standard; and (3) actions to minimize emissions and correct the failure.
63.8(f)(5)(ii)	No	
63.8(f)(5)(iii)	Yes	
63.8(f)(6)	Yes	
63.8(g)	Yes	
63.9(a)	Yes	
63.9(b)(1)(i)	Yes	
63.9(b)(1)(ii)	No	
63.9(b)(2)	Yes	
63.9(b)(3)	No	
63.9(b)(4)	Yes	See § 63.697(b)(3) for reporting of malfunctions.
63.9(b)(5)	Yes	
63.9(c)	Yes	
63.9(d)	Yes	
63.9(e)	Yes	
63.9(f)	No	
63.9(g)	Yes	
63.9(h)	Yes	
63.9(i)	Yes	
63.9(j)	No	
63.10(a)	Yes	See § 63.697(b)(3) for reporting of malfunctions.
63.10(b)(1)	Yes	
63.10(b)(2)(i)	No	
63.10(b)(2)(ii)	No	
63.10(b)(2)(iii)	Yes	
63.10(b)(2)(iv)	No	
63.10(b)(2)(v)	No	
63.10(b)(2)(vi)–(ix)	Yes	
63.10(b)(2)(x)–(xi)	Yes	
63.10(b)(2)(xii)–(xiv)	No	
63.10(b)(3)	Yes	
63.10(c)(1)–(6)	No	
63.10(c)(7)–(8)	Yes	
63.10(c)(9)–(15)	No	
63.10(d)(1)	No	
63.10(d)(2)	Yes	
63.10(d)(3)	No	
63.10(d)(4)	Yes	
63.10(d)(5)	No	
63.10(e)(1)–63.10(e)(2)	No	
63.10(e)(3)	Yes	
63.10(e)(4)	No	

**Environmental Protection Agency**

**Pt. 63, Subpt. DD, Table 5**

Subpart A reference	Applies to Subpart DD	Explanation
63.10(f) .....	Yes	
63.11–63.15 .....	Yes	
63.16 .....	No	

<sup>a</sup> Wherever subpart A specifies "postmark" dates, submittals may be sent by methods other than the U.S. Mail (e.g., by fax or courier). Submittals shall be sent by the specified dates, but a postmark is not required.

[64 FR 38983, July 20, 1999, as amended at 66 FR 1267, Jan. 8, 2001; 80 FR 14280, Mar. 18, 2015]

**TABLE 3 TO SUBPART DD OF PART 63—TANK CONTROL LEVELS FOR TANKS AT EXISTING AFFECTED SOURCES AS REQUIRED BY 40 CFR 63.685(b)(1)**

Tank design capacity (cubic meters)	Maximum HAP vapor pressure of off-site material managed in tank (kilopascals)	Tank control level
Design capacity less than 75 m <sup>3</sup> .....	Maximum HAP vapor pressure less than 76.6 kPa.	Level 1.
Design capacity less than 75 m <sup>3</sup> .....	Maximum HAP vapor pressure equal to or greater than 76.6 kPa.	Level 2, except that fixed roof tanks equipped with an internal floating roof and tanks equipped with an external floating roof as provided for in §63.685(d)(1) and (2) shall not be used.
Design capacity equal to or greater than 75 m <sup>3</sup> and less than 151 m <sup>3</sup> .	Maximum HAP vapor pressure less than 27.6 kPa.	Level 1.
	Maximum HAP vapor pressure equal to or greater than 27.6 kPa.	Level 2.
Design capacity equal to or greater than 151 m <sup>3</sup> .	Maximum HAP vapor pressure less than 5.2 kPa.	Level 1.
	Maximum HAP vapor pressure equal to or greater than 5.2 kPa.	Level 2.

[80 FR 14282, Mar. 18, 2015]

**TABLE 4 TO SUBPART DD OF PART 63—TANK CONTROL LEVELS FOR TANKS AT EXISTING AFFECTED SOURCES AS REQUIRED BY 40 CFR 63.685(b)(1)(ii)**

Tank design capacity (cubic meters)	Maximum HAP vapor pressure of off-site material managed in tank (kilopascals)	Tank control level
Design capacity less than 75 m <sup>3</sup> .....	Maximum HAP vapor pressure less than 76.6 kPa.	Level 1.
Design capacity less than 75 m <sup>3</sup> .....	Maximum HAP vapor pressure equal to or greater than 76.6 kPa.	Level 2, except that fixed roof tanks equipped with an internal floating roof and tanks equipped with an external floating roof as provided for in §63.685(d)(1) and (2) shall not be used.
Design capacity equal to or greater than 75 m <sup>3</sup> and less than 151 m <sup>3</sup> .	Maximum HAP vapor pressure less than 13.1 kPa.	Level 1.
	Maximum HAP vapor pressure equal to or greater than 13.1 kPa.	Level 2.
Design capacity equal to or greater than 151 m <sup>3</sup> .	Maximum HAP vapor pressure less than 5.2 kPa.	Level 1.
	Maximum HAP vapor pressure equal to or greater than 5.2 kPa.	Level 2.

[80 FR 14283, Mar. 18, 2015]

**TABLE 5 TO SUBPART DD OF PART 63—TANK CONTROL LEVELS FOR TANKS AT NEW AFFECTED SOURCES AS REQUIRED BY 40 CFR 63.685(b)(2)**

Tank design capacity (cubic meters)	Maximum HAP vapor pressure of off-site material managed in tank (kilopascals)	Tank control level
Design capacity less than 38 m <sup>3</sup> .....	Maximum HAP vapor pressure less than 76.6 kPa.	Level 1.

Tank design capacity (cubic meters)	Maximum HAP vapor pressure of off-site material managed in tank (kilopascals)	Tank control level
Design capacity less than 38 m <sup>3</sup> .....	Maximum HAP vapor pressure equal to or greater than 76.6 kPa.	Level 2, except that fixed roof tanks equipped with an internal floating roof and tanks equipped with an external floating roof as provided for in § 63.685(d)(1) and (2) shall not be used.
Design capacity equal to or greater than 38 m <sup>3</sup> and less than 151 m <sup>3</sup> .	Maximum HAP vapor pressure less than 13.1 kPa.	Level 1.
	Maximum HAP vapor pressure equal to or greater than 13.1 kPa.	Level 2.
Design capacity equal to or greater than 151 m <sup>3</sup> .	Maximum HAP vapor pressure less than 0.7 kPa.	Level 1.
	Maximum HAP vapor pressure equal to or greater than 0.7 kPa.	Level 2.

[80 FR 14283, Mar. 18, 2015]

**Subpart EE—National Emission Standards for Magnetic Tape Manufacturing Operations**

SOURCE: 59 FR 64506, Dec. 15, 1994, unless otherwise noted.

**§ 63.701 Applicability.**

(a) Except as specified in paragraph (b) of this section, the provisions of this subpart apply to:

(1) Each new and existing magnetic tape manufacturing operation located at a major source of hazardous air pollutant (HAP) emissions; and

(2) A magnetic tape manufacturing operation for which the owner or operator chooses to use the provisions of § 63.703(b) and (h) to obtain a Federally enforceable limit on its potential to emit HAP.

EXPLANATORY NOTE: A reason the owner or operator would make the choice described in paragraph (a)(2) of this section is if the plant site, without this limit, would be a major source. The owner or operator could use this limit, which would establish the potential to emit from magnetic tape manufacturing operations, in conjunction with the potential to emit from the other HAP emission points at the stationary source, to be an area source. Note, however, that an owner or operator is not required to use the provisions in § 63.703(b) and (h) to determine the potential to emit HAP from magnetic tape manufacturing operations.

(b) This subpart does not apply to the following:

(1) Research or laboratory facilities; and

(2) Any coating operation that produces a quantity of magnetic tape that is 1 percent or less of total production (in terms of total square footage coated) from that coating operation in any 12-month period.

(c) The affected source subject to this standard is the magnetic tape manufacturing operation, as defined in § 63.702.

(d) An owner or operator of an existing affected source subject to the provisions of this subpart shall comply according to the following schedule:

(1) Within 3 years after the effective date of the standard, if the owner or operator is required to install a new add-on air pollution control device to meet the requirements of § 63.703(c) or (g); or

(2) Within 2 years after the effective date of the standard, if a new add-on air pollution control device is not needed to comply with § 63.703(c) or (g) of these standards.

(e) The compliance date for an owner or operator of a new affected source subject to the provisions of this subpart is immediately upon startup of the affected source.

(f) The provisions of this subpart apply during periods of startup and shutdown, and whenever magnetic tape manufacturing operations are taking place.

(g) Owners or operators of affected sources subject to the provisions of this subpart shall also comply with the requirements of subpart A as identified in Table 1, according to the applicability of subpart A to such sources.